

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SESSION OF 1927

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING**

TUESDAY, JANUARY 11, 1927

VOL. II



**WITH AN INDEX PREPARED BY THE CLERK OF THE
HOUSE OF REPRESENTATIVES**

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA
SESSION OF 1927.

THIRTY-FIFTH DAY.

House of Representatives,
Montgomery, Alabama,
Friday, July 22nd, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Mr. Rivers of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Cockrell	Guy	Kirkpatrick
Adcock	Cook	Hampton	Langdon
Allen	Darden	Harwood	Lawler
Anderson	Deloney	Hawkins	Lee
Ashcraft	Denson	Hightower	Lovelace
Baldwin	Edmundson	Hollis	Luck
Bartlett	Edwards	Howard	McAdory
Beebe	Fite	Howell	Martin
Brunson	Frey	Hubbard	Matthews
Bryant	Golson	Hughes	Merrill
Burleson	Goode	Jeter	Miller (Marengo)
Burns	Goodwyn	Johnson	Miller (Sumter)
Byars	Graves	Jones (Bullock)	Molette
Cannon	Green	Jones (Cleburne)	Monk
Carter	Grove	Jordan (Etowah)	Morrow
Christian	Gullatt	Jordan (Washington)	Moxley

Mullen	Quillin	Shepherd	Vickers
Nipper	Rankin	Shivers	Waddell
Norman	Reeder	Simpson	Wallace
Owens	Ringer	Smith	Ward (Geneva)
Parish	Rivers	Starnes	Ward (Tuscaloosa)
Patterson	Rogers (Mobile)	Stewart (Bibb)	Ware
Pegues	St. John	Stewart (Calhoun)	Webb
Pitts	Sanders (Conecuh)	Thompson	Weldon
Poole	Sanders (Pike)	Tompkins	Winn
Powell	Sanderson	Tunstall	

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 34th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 34th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Desear, Rogers of Elmore, and Stephens for today.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

And finds same correctly enrolled.

Robert B. Harwood,
Chairman.

SINGING OF BILLS

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-

thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Enrolled Bills:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and find same correctly engrossed, to-wit:

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for the violation of the provisions hereof.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 303. To repeal an Act entitled an Act to provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Also:

H. 325. To repeal an Act entitled an Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24, 25 and 38 of an Act entitled an Act to better provide for establishing, working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903."

Also:

H. 326. To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said county in lieu of the Court of County Commissioners, to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the county of Baldwin into four board of revenue districts; to provide a clerk and assistant clerk for the said board of revenue and to fix their duties and compensation and to provide for a county engineer as superintendent

of roads and to repeal all laws in conflict with the provisions of this Act.

Also:

H. 331. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County; approved February 22, 1919: and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Also:

H. 348. To relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Also:

H. 356. To establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama.

Also:

H. 553. To amend Sec. 3 of an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, and defining its powers, jurisdiction and duties.

Also:

H. 306. To prescribe the duties and fix the compensation of the deputy solicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

Also:

H. 458. To provide for the election of a county superintendent of Education of Randolph County, Alabama, by the qualified electors of said County, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

Also:

H. 548. For the relief of D. B. Chambliss, former sheriff of Autauga County, Alabama.

Also:

H. 549. For the relief of R. P. Barnes, clerk of the inferior court of Autauga County, Alabama.

Also:

H. 600. To amend Section 22 of an Act "to provide and create a Commission form of Municipal Government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government." approved Sept. 18, 1923.

Also:

H. 562. For the relief of Lucien W. Brown.

Also:

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

Also:

H. 612. To further prescribe the duties and fix the salary of the court reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

Also:

H. 642. To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of \$55,000.00 for the purpose of constructing a highway in said county with bridges and ferries in conjunction with Mobile County and all proceedings of said court of county commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when

said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

Also:

H. 390. To prescribe the duties and fix the compensation of the Deputy Solicitor for Cleburne County, Alabama, and to repeal all laws and parts of laws in conflict with this act.

And finds the same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

REPORT OF RULES COMMITTEE.

Mr. Tunstall, Vice-Chairman of the Standing Committee on Rules, returned to the House, with a favorable report, the following Resolutions:

By Rules Committee:

H. R. 105. Be it resolved by the House that the following House Bills be made special paramount and continuing orders, in the order named, for the 34th Legislative Day immediately after the special paramount orders now on the Calendar are disposed of:

House Bill No. 120; House Bill No. 354; House Bill No. 660; House Bill No. 473; House Bill No. 554; House Bill No. 765; House Bill No. 766; House Bill No. 767; House Bill No. 768; House Bill No. 72; House Bill No. 419; House Bill No. 420; House Bill No. 421.

And the Resolution was adopted.

By Rules Committee:

H. J. R. 106. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, July 26, 1927.

And the Resolution was adopted.

By Rules Committee:

H. R. 107. Be it resolved by the House that a committee of five members from the House to be appointed by the Speaker of the House be and is hereby created and instructed to make a careful and thorough investigation of the increased income to the State under the provisions of the new Revenue Bill and make report thereof to the House at the earliest practical moment.

Mr. Tompkins moved to table the Resolution reported by the Standing Committee on Rules and the motion to table was lost.

Yeas, 47; nays, 47.

Yeas:

Messrs:			
Adcock	Fite	Miller (Marengo)	Rivers
Allen	Frey	Miller (Sumter)	Smith
Anderson	Hightower	Monk	Starnes
Ashcraft	Hollis	Mullen	Stewart (Calhoun)
Bartlett	Howard	Nipper	Thompson
Brunson	Howell	Norman	Tompkins
Bryant	Hubbard	Owens	Ward (Geneva)
Burleson	Hughes	Parish	Ward (Tuscaloosa)
Burns	Jones (Bullock)	Pegues	Ware
Byars	Jones (Clebune)	Quillin	Webb
Cannon	Jordan (Washington)	Reeder	Weldon
Carter	McAdory	Ringer	

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Nays:

Messrs:			
Mr. Speaker	Grove	Martin	Sanders (Conecuh)
Baldwin	Guy	Merrill	Sanders (Pike)
Beebe	Hampton	Molette	Sanderson
Christian	Harwood	Morrow	Shivers
Cook	Hawkins	Moxley	Simpson
Darden	Jeter	Patterson	Stewart (Bibb)
Edmundson	Johnson	Pitts	Tunstall
Edwards	Jordan (Etowah)	Poole	Vickers
Golson	Kirkpatrick	Powell	Waddell
Goode	Lee	Rankin	Wallace
Goodwyn	Lovelace	Rogers (Mobile)	Winn
Green	Luck	St. John	

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Mr. Goodwyn moved that the Resolution No. 107, reported by the Standing Committee on Rules, be adopted and the motion was lost.

Yeas, 44; nays, 49.

Yeas:

Messrs.:			
Mr. Speaker	Green	Lovelace	Rogers (Mobile)
Baldwin	Grove	Luck	St. John
Beebe	Guy	Martin	Sanders (Pike)
Christian	Hampton	Merrill	Sanderson
Cook	Harwood	Morrow	Shivers
Darden	Hawkins	Moxley	Simpson
Edmundson	Jeter	Patterson	Tunstall
Edwards	Johnson	Pitts	Vickers
Golson	Jordan (Etowah)	Poole	Waddell
Goode	Kirkpatrick	Powell	Wallace
Goodwyn	Lee	Rankin	Winn

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Nays:

Messrs.:

Adcock	Frey	Miller (Sumter)	Rivers
Allen	Hightower	Molette	Smith
Anderson	Hollis	Monk	Starnes
Ashcraft	Howard	Mullen	Stewart (Bibb)
Bartlett	Howell	Nipper	Stewart (Calhoun)
Brunson	Hubbard	Norman	Thompson
Bryant	Hughes	Owens	Tompkins
Burleson	Jones (Bullock)	Parish	Ward (Geneva)
Burns	Jones (Cleburne)	Pegues	Ward (Tuscaloosa)
Byars	Jordan (Washington)	Quillin	Ware
Cannon	McAdory	Reeder	Webb
Carter	Miller (Marengo)	Ringer	Weldon
Fite			

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S. J. R. 65. Extending an invitation to Col. Lindberg to visit Alabama when he makes his Southern tour.

And the Resolution was adopted.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Sanderson:

H. R. 14. Resolved That House Bill No. 66 entitled an Act to prescribe the liability of persons, firms and corporations engaged in certain hazardous occupations be made a special paramount continuing order for the 38th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

H. R. 108. Resolved that House Bill No. 719 being an Act to amend Section 7327 of the Code of Alabama, 1923, fixing the salaries of the Judges of the Court of Appeals, be made a special paramount continuing order for the 37th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS.

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committees as follows:

By Mr. Beebe with Notice and Proof):

H. 857. To form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under the constitution and laws of the State of Alabama, or that may

be hereafter authorized under any amendment thereof, other than the amendment submitted by the Legislature validating this act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate of annual levies shall be one per centum on the value of the taxable property in such districts for a period of twenty (20) years from the date of the vote thereon; for the advancement of said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition to that now allowed to be incurred by such County under the Constitution of Alabama or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act.

Local Legislation.

Notice and Proof H. 857:

NOTICE

Notice is hereby given of the intention to apply for the passage by Legislature of Alabama at its present session of a local law for Baldwin County, Alabama, substantially as follows:

A Bill to be entitled an Act to form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax of not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under the constitution and laws of the State of Alabama, or that may be hereafter authorized under any amendment thereof, other than the amendment submitted by this Legislature validating this Act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate or annual levies shall be one per centum on the value of the taxable property in such districts; for the advancement by said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such district: for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition

to that now allowed to be incurred by such County under the Constitution of Alabama, or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act.

Be it enacted by the Legislature of Alabama:

Section 1. That the County of Baldwin is hereby divided into fifteen Road Districts, each, such district to consist of substantially the area which now comprises the voting precinct of the same number as now established in said County, and the said Districts being numbered and described as follows:

District No. 1.

Beginning at the southeast corner of Section 36, Township 3, north of Range 4 East, on the dividing line between Escambia County and Baldwin County, thence north along said dividing line to Little River, thence following the meanderings to Little River and the Alabama River, to the south line of Section 28, Township 3, north of Range 1, East; thence East to the Southeast corner of Section 25, Township 3 north, Range 8 east, thence South to corner of Section 36, Township 3 North, Range 3 East, thence East to the place of beginning.

District No. 2.

Beginning at the Southeast corner of Section 36, Township 3 North of Range 3 East, thence North to the Northeast corner of Section 36, Township 3 North, Range 3 East, thence West to the Alabama River, thence following the meanderings of the Alabama River to a point where the dividing line between Township 4 North and 2 North intersects said River, thence East along said dividing line to the place of beginning.

District No. 3.

Beginning at a point where the Township line dividing Township 1 North and 2 North intersects Tensaw River, thence East to the Range line dividing Ranges 3 East and 4 East, thence North about 12 miles to the Township line dividing Townships 1 North and 2 North, thence West along said Township line to the Tensaw River, thence following the meanderings of the Tensaw River to the place of beginning.

District No. 4.

All that portion of Baldwin County which lies between Township lines dividing Townships 1 South and 2 South, and dividing Townships 2 South and 3 South.

District No. 5.

Beginning at the Southwest corner of Section 31, Township 1 S., Range 4 East, thence East to Perdido River, thence North with the meanderings of said River to the line of Escambia County, thence Westwardly and Northwardly following the dividing lines between Escambia and Baldwin Counties to the dividing line of Townships 2 North and 3 North, thence West to the Range line dividing Ranges 3 East and 4 East, thence South along said line to the place of beginning.

District No. 6.

All that portion of the County which lies West of the Styx River and between the Township line dividing Townships 2 South and 3 S., and the line beginning at a point on the Styx River being the Southeast corner of

Section 14, Township 4 South, Range 4 East, running West on section line to Tensaw River.

District No. 7.

All that portion of Baldwin County, Ala., which lies east of Styx River, West of Perdido River and South of the Township line dividing Townships 2 South and 3 South.

District No. 8.

Beginning at a point on Mobile Bay, where the Township line dividing Townships 5 South and 6 South intersects said bay, thence East along said Township line to Fish River, thence north following the meanderings of Fish River to the point where said River intersects the North line of Section 21, Township 4, South of Range 3 East, thence West to the East bank of Tensaw River, thence following the meanderings of said river and Mobile Bay to the place of beginning.

District No. 9.

Beginning at a point where Fish River intersects the South line of Section 18, Township 6 South, Range 3 East, thence East to the Bay Minette and Fort Morgan Railroad, thence North to the South line of Sections 7 and 8, Township 6 South, Range 4 East, thence East to the S. E. corner of Section 9, Township 6 South, Range 5 East, thence North to Styx River, thence following the meanderings of Styx River to a point where Styx River intersects the Southern boundary line of Section 13, Township 4 South, Range 4 East, thence West to Fish River, thence Southwardly with the meanderings of Fish River to the place of beginning.

District No. 10.

Beginning at a point on Mobile Bay, where the Township line dividing Townships 5 South and 6 South intersects said bay, thence East to Fish River, thence South following the meanderings of Fish River, to the point where the South line of Section 18, Township 6 S., Range 3 East, intersects said Fish River, thence West to the Range line dividing Ranges 2 East and 3 East, thence South to Fish River, thence following the meanderings of Fish River and the West shore of Weeks Bay to a point where said Bay intersects Mobile Bay, thence Westwardly and Northwardly along the Eastern shore of Mobile Bay to place of beginning.

District No. 11.

Beginning at the Southwest corner of Section 7, Township 7 South, Range 3 East, thence east to the Southeast corner of Section 9, Township 7 South, Range 5 East, thence North to the Southeast corner of the Northwest quarter of Section 16, Township 6 South, Range 5 East, thence West to the Bay Minette and Fort Morgan Railroad, thence South along said Railroad to the Southeast corner of the Southeast quarter of Section 18, Township 6 South, Range 3 East, thence West to the line dividing Ranges 2 East and 3 East, thence South along said dividing line to the place of beginning.

District No. 12.

Beginning at the Southeast corner of Section 10, Township 7 South, Range 5 East, thence East to the Range line dividing 5 East and 6 East, thence South along said dividing line to Soldier Creek, thence along said Creek following its meanderings to Perdido Bay, thence Northwardly and Eastwardly along the shores of Perdido Bay and Perdido River to Styx

River, thence Westwardly and Northwardly following the meanderings of Styx River to the West boundary line of Section 15, Township 5 South, Range 5 East, thence South to the place of beginning.

District No. 13.

Beginning at the Northeast corner of Section 13, in Township 7 South, Range 4 East, thence East to the Range line dividing Ranges 5 East and 6 East, thence South along said Range line to Soldier Creek, thence along Soldier Creek with its meanderings to Perdido Bay, thence along Perdido Bay, Bay LaLaunch and Bay Onocor and the Gulf of Mexico to the Section line dividing Sections 13 and 14 in Township 9 South, Range 4 East, thence north to the place of beginning.

District No. 14.

Beginning at the Northeast corner of Section 18, in Township 7 South, Range 3 East, thence East to the Northeast corner of Section 14, in Township 7 South, Range 4 East, thence South to the Southeast corner of Section 11, Township 8 South, Range 4 East, thence West to Bay of Mobile, thence Northwardly with the meanderings of the Bay of Mobile and with Weeks Bay and the North prong of Fish River to the line dividing Ranges 2 East and 3 East, thence North on said dividing line to the place of beginning.

District No. 15.

Beginning at a point on Mobile Bay where the South line of Section 12, Township 8 South, Range 3 East, intersects said Bay, thence East to the Southeast corner of Section 11, Township 8 South, Range 4 East, thence South to the Gulf of Mexico, thence West along the Gulf of Mexico to Mobile Bay at Fort Morgan, thence Eastwardly and Northwardly along the shores of Mobile Bay to the place of beginning.

Section 2. That not less than 25 per cent of the qualified voters in any road district hereby created may petition in writing the Court of County Commissioners of said County requesting the establishment, construction, betterment or maintenance of any public road, bridge, causeway, or ferry on roads, including all bridges and causeways or ferries therein as a part thereof, situated within said district, or the levying of a special tax for general road improvement in the district, setting forth in such petition in general terms the following:—(a) That it is desired to levy a special tax for general road improvement in the district or (b) a description of the road, bridge or causeway or roads including bridges, causeways and ferries to be established, constructed, bettered and or maintained, an explanation of the proposed improvement showing of what it is to consist, and what is proposed to be done; (c) a statement of the estimated cost thereof, and (d) a statement of the annual rate of the special tax to be levied, not to exceed one per centum of the value of the taxable property within such district and the term or period not to exceed Twenty years for which the same shall continue, which proposed improvement may be merely by way of adding the funds to be raised by said special tax to other funds available for the establishment, betterment, construction or maintenance of any public road or roads in the district. After receiving any such petition the Court of County Commissioners upon finding that it conforms hereto and is signed by not less than 25 per cent of the qualified electors of the district shall make an order calling an election by the qualified electors of the district as is hereinafter provided.

Section 3. That the said order calling the said election shall provide for the holding thereof on some named date not more than ninety days

after the presentation of the petition for the submission at said election to the qualified electors of the said district of the proposition as to whether or not there shall be levied a special tax upon the taxable property in the district for the purposes of the rate and for the number of years set forth in the petition; and shall also state the place or places at which the said election shall be held, which place or places shall be within the district.

Section 4. The said Court of County Commissioners shall appoint three Managers and one Returning Officer for each so designated voting place in the District, and shall cause notice to be given by publication once a week for three weeks in some newspaper published in said County, of the time and purpose of the said election, and of the voting places in said District designated as aforesaid. The Managers and Returning Officers so appointed shall each be qualified electors of the District, and if any of them fail to appear at the time and place appointed for the election, the Officer or Officers who do appear shall appoint qualified electors of the District to take the place of those who are absent. It shall be the duty of the Sheriff to notify all officers of their said appointment by the said Court of County Commissioners. The Managers and Returning Officers so selected shall conduct the said election, shall open the polls at eight o'clock A. M., and close the same at five o'clock P. M., on the date of the election, and immediately upon closing the polls shall ascertain the results of the election at their respective voting places, and make returns of the same to the Court of County Commissioners, and deliver the ballot box containing the returns with the polling lists, tally sheets, and other necessary papers to the returning officers of such voting places, who shall deliver the same to the Court of County Commissioners on or before noon of the second day after the said election. The Court of County Commissioners shall within 5 days after said election canvas the returns so made, and under oath make a written report declaring the result of said election in said district, showing therein the number of votes cast for and against the proposed taxation. A copy of such report shall be printed in some newspaper published in the County, and the original shall be filed in the office of the Probate Judge, and except as is otherwise provided herein said election shall be held under the general laws of the State. The officers, including the Sheriff, shall perform the same duties and receive the same pay as is provided for under the general election laws aforesaid, and all costs and fees of said election shall be paid out of the County Treasury.

Section 5. That when any election is to be held under the provisions of this Act, the Court of County Commissioners shall provide the necessary number of ballots, polling lists, tally sheets, ballot boxes, booths, instructions for holding the election, and all other necessary and proper stationery for holding said election, and the Sheriff shall see that same are delivered to the Managers before the date of the election. Upon the ballots used in said election there shall be printed the rate of the proposed special tax, the time that it is proposed to be continued, and the purposes to which the monies derived from such taxation will be devoted, and directly underneath such matter there shall be printed, in plain type in one line, the words: "For proposed taxation," and in another line the words: "Against proposed taxation." A blank must be left directly to the left of each of said lines, and the voter favoring the proposed taxation will make a cross mark directly to the left of the line "For proposed taxation," and the voter not in favor of the proposed taxation will make a cross mark directly to the left of the line "Against proposed taxation," and if it appears as the result of said election, that a majority of those legally voting in said election have voted for such taxation, the Court of County Commissioners shall levy said special tax and cause the tax assessor to assess and the tax collector to collect the same on the taxable property in said district.

That whenever the election as provided for in this Act for the levy of special taxes shall be held and the result declared before August 1st, any year, the tax authorized at such election shall be assessed and collected for that year and for each year thereafter for the full term specified in the call; and if the results shall be declared after August 1st, the tax authorized at such election shall be assessed and collected for the next succeeding year and each year thereafter for the full term specified in the call. It shall be the duty of the tax assessor of said County to assess and the tax collector of said county to collect such taxes in the same manner as the public school district tax is assessed and collected. The tax collector shall keep the amount of taxes collected separate and apart from all the other funds and shall keep a correct and distinct account thereof, showing what amount is paid and turn the same over to the county treasurer or depository whose duty it shall be to receipt therefor and pay the same out upon warrants issued in conformity with the law.

The tax collector and tax assessor shall be entitled to one-half of one per cent of the taxes actually collected as full compensation for the additional services required by this Act, the same to be paid in the manner now provided for the payment of their compensation out of the public school district taxes.

Section 6. The rate of tax levied under authority of this Act in any year shall not exceed one per centum of the value of the taxable property in such district. No tax shall be levied for a period longer than twenty years from the date when such tax becomes effective. If a tax or taxes at a rate less than one per cent is levied for any number of years not exceeding twenty years additional taxes may be levied from time to time by a vote as hereinbefore provided for, for the same years, provided the aggregate shall not exceed one per centum. If any tax is levied for a less number of years than twenty years or if a tax has been levied for a period of twenty years, and a part of such period has elapsed, then in either such event, the time during which such tax may be levied may be extended with the vote of the electors as herein provided, so that such tax may be levied for a period not exceeding twenty years from the date of the election by which such period is extended.

Section 7. That whenever the proposed improvement is of such nature or character as to require the use of all or a part of the money to be realized from said special tax before the same will be collected and thereby made available, the Court of County Commissioners may cause the County to advance for the purposes for which said taxation was authorized, such amount or amounts of money as the said Court of County Commissioners may deem to be then necessary or proper for the accomplishment of the said purposes and objects, provided that the aggregate of the amounts so advanced, together with six per cent per annum interest thereon to the dates at which the same may be repaid from the proceeds of said special tax shall not exceed the estimated amount of such special tax computed on the basis of the amount of taxable property in the District shown by the last assessment thereof.

Whenever any such advancement is made by the County, the proceeds of said special tax, insofar as the same may be necessary therefor, shall be used and applied in reimbursing the County for said advances, together with not exceeding six per cent interest thereon from the date of each advance until the time of the repayment thereof. For the purpose of securing money with which to make said advances the said County is hereby authorized to issue and sell, at not less than par, its warrants bearing interest at not more than six per cent per annum, payable annually and maturing at such time or times as the said Court of County Commissioners may determine, but in no event running for a longer period than that fixed as the duration of or for said special tax, and all indebtedness of the

said County so created shall be in addition to that now allowed under and by the constitution of the State of Alabama, or that may hereafter be allowed under and by the constitution of the State of Alabama, or any amendment thereof, other than the amendment proposed and submitted by this Legislature validating this Act. And no debt so created by said County together with six per cent interest per annum thereon to the date of the payment shall exceed the estimated amount of the levied taxes computed on the basis of the last assessment of the taxable property in such districts.

Section 8. That all monies obtained under the provisions of this Act, whether the same consist of the direct proceeds of said tax or of monies advanced by the County, and to be replaced from said tax, shall be devoted exclusively to the purpose or purposes for which said tax was authorized; that the same shall be applied and used in the said district by and under the control of the Court of County Commissioners of said County, but only for the purposes authorized as aforesaid, provided that in those cases wherein the plan of the improvement contemplates the betterment and (or) maintenance of an existing public road, or aiding in constructing, bettering or maintaining a public road which is receiving State or Federal Aid the monies arising from said special tax may be used for such purpose in aid of and in conjunction with funds therefor furnished by the State, by the Federal Government or by the County, and the Court of County Commissioners shall have the power and authority to arrange for a judicious expenditure of the proceeds of said special tax along with monies otherwise available for the accomplishment of the purposes for which said special tax was authorized. And provided if the tax is levied or money advanced for a specific road, bridge, causeway or ferry any surplus may be used for general road improvement in said district. However, in no event shall the Court of County Commissioners, nor anyone else, have authority to apply any of the proceeds of said tax to any construction, development, improvement or maintenance outside of or beyond the limits of the districts.

Section 9. The designation "Court of County Commissioners" as used in this Act, shall include, embrace and designate the governing body or board of said County by whatsoever name called, having the powers conferred by the general law upon Courts of County Commissioners.

Section 10. This Act is intended to make operative, promptly after its adoption, a proposed amendment to the Constitution of Alabama which the Legislature is submitting to be voted upon on the second Tuesday next following the expiration of three months from the date of the final adjournment of the present session of the Legislature of Alabama, which amendment authorizes the Legislature to form or provide for the formation of districts of the character herein provided for in the County of Baldwin in said State, and authorizes the Legislature to provide for the levying and collecting annually of a tax not exceeding one per centum on the value of the taxable property in such district or districts. This Act shall become and be effective from and after the adoption and promulgation of said amendment in the event the same is adopted.

Section 11. If any word, sentence, clause, section or provision of this Act is for any reason held to be invalid, it shall not affect the remainder of this Act.

Section 12. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

AFFIDAVIT OF PUBLICATION.

State of Alabama, }
Baldwin County. }

R. B. Vail, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Binette, Bald-

win County, Alabama; that the notice hereto attached of Bill to Form Road Districts in Baldwin County, etc., was published in said newspaper for 4 consecutive weeks in the following issues: Date of first publication, June 30, 1927, Vol. 38, No. 22; Date of second publication, July 7, 1927, Vol. 38, No. 23; Date of third publication, July 14, 1927, Vol. 38, No. 24; Date of fourth publication, July 21, 1927, Vol. 38, No. 25.

Subscribed and sworn to before the undersigned this 21st day of July, 1927.

(SEAL)

R. B. Vail, Publisher.

Ursula Oscar,
Notary Public,
Baldwin Co., Ala.

By Mr. Owens:

H. 858. To amend Section 955, Code of Alabama, 1923, as amended by act approved September 29, 1923, Acts 1923, page 789.

Appropriations.

By Mr. Stewart of Bibb (with Notice and Proof):

H. 859. To provide that in Bibb County, Alabama, the informer shall receive one-fourth of the fine in all cases of conviction for a violation of the prohibition law of Alabama, and to provide for the payment of same in Bibb County, Alabama.

Local Legislation.

Notice and Proof H. 859.

PROPOSED LEGISLATION.

Notice is hereby given that at the next meeting or session of the Legislature of the State of Alabama, a bill will be introduced for passage providing that the informer shall have and receive one-half of the fine in all cases of conviction for violation in Bibb County, Alabama, of any provisions of the prohibition law, or of any one of the laws relative to spirituous, vinous or malt liquors or intoxicating beverages, and also provide for the payment of same.

B. F. Griffin.

State of Alabama, }
Bibb County. }

Before me, the undersigned authority, personally appeared Mrs. L. H. Nunnelee, who being duly sworn, says on her oath, that she is editor and publisher of the Centreville Press, a newspaper published weekly at Centreville, in Bibb County, Alabama. Affiant further says that the above and foregoing notice of proposed legislation was published in the Centreville Press in four successive weekly issues thereof, namely, May 26, 1927; June 2, 1927; June 9, 1927; and June 16, 1927.

Mrs. L. H. Nunnelee,

Editor and Publisher of the Centreville Press.

Sworn to and subscribed before me on this the 5th day of July, 1927.

(SEAL)

Frances Waller,
Notary Public.

By Mr. Stewart of Bibb:

H. 860. To regulate the disbursement of the School Funds of the State of Alabama.

Education.

By Mr. Edwards:

H. 861. To enable cattle raisers in counties in Alabama now under quarantine on account of cattle ticks, to sell their cattle for immediate slaughter by Sept. 1, 1928; to authorize courts of county commissioners of boards of revenue of said counties to provide necessary dipping vats; to prescribe the duties of the Probate Judge, the State Board of Agriculture, the State Veterinarian and State Livestock Inspectors and to provide penalties for violation of this Act or the Regulations of the State Board of Agriculture.

Revision of Laws.

By Mr. Merrill:

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge.

Rules.

By Mr. Jones of Cleburne (with Notice and Proof):

H. 863. To provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama; to provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

Local Legislation.

Notice and Proof H. No. 863.

NOTICE OF LOCAL BILL.

Notice is hereby given that a bill will be introduced in the present, 1927, session of the Legislature of Alabama, which will provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama: To provide for the appointment of a road supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

State of Alabama, }
Cleburne County. }

Before me, Myrtle Barker, a Notary Public in and for said State and County, personally appeared C. F. Dodson, Editor of the Cleburne News, a weekly newspaper published at Heflin, in Cleburne County, Alabama, who being duly sworn, deposes and says that the notice, copy of which is hereto attached, was published in said newspaper for four consecutive weeks as follows: June 23, June 30, July 7, and July 14, 1927.

C. F. Dodson.
Sworn to and subscribed before he this 18th day of July, 1927.

Myrtle Barker,
Notary Public.

By Mr. DeLoney (with Notice and Proof):

H. 864. To provide for the relief of Dan Middleton by making an appropriation.

Appropriations.

Notice and Proof H. 864.

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama, which convened January 11, 1927, for the enactment of a bill into a law substantially as follows:

A Bill to be entitled an Act for the relief of Dan Middleton by making an appropriation to compensate him for injuries received while a convict.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of One Thousand Dollars be and the same is hereby appropriated for relief of Dan Middleton who was permanently injured by the falling of stone and slate upon him while he was a convict sentenced to the penitentiary from Colbert County, Alabama.

Section 2. Be it further enacted that the State Auditor be and he is hereby authorized to draw his warrant in favor of the said Dan Middleton in said sum of One Thousand Dollars for the relief of said Dan Middleton.

I, Walter F. Miller, publisher of the Colbert County Reporter, a newspaper published weekly at Tuscumbia, Colbert County, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week for four successive weeks, and not in any supplement of said newspaper, but in the regular and entire issue, commencing with the issue of January 13, 1927, and ending with the issue dated February 3, 1927.

Walter F. Miller.

Subscribed and sworn to before me, this 11th day of July, 1927.

Aaron Brusler,

Notary Public.

My Commission expires Jan. 12, 1929.

By Mr. Sanders (Conecuh):

H. 865. To amend Section 3802 of the Code of Alabama.

Appropriations.

By Mr. Jordan (Etowah) (by request):

H. 866. To levy a license or privilege tax on every person, firm or corporation peddling merchandise of any kind in the State of Alabama.

Ways and Means.

By Mr. Jordan (Etowah):

H. 867. To regulate the manufacture and sale of Flour known as Self-rising Flour or Flour containing a mixture of other ingredients; and to provide penalties for violation thereof.

Manufacturing.

By Mr. Pegues (with Notice and Proof):

H. 868. To authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, Woco-

Pep or any substitute therefor, not to exceed three cents per gallon; to authorize such Court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to make provision for the distribution of said tax; to prohibit any incorporated city or town in said County from levying a municipal tax on gasoline, Woco-Pep, or any substitute therefor; to repeal the municipal taxes on said gasoline, Woco-Pep, or any substitute therefor, which may now be levied by any incorporated city or town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

Local Legislation.

Notice and Proof H. 868.

NOTICE OF PROPOSED LOCAL LAW.

Notice is hereby given that a local bill will be introduced in the present session of the Legislature,, in the following words and figures, to-wit:

A BILL.

To be entitled an Act to authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, WoCo-Pep or any substitute therefor, not to exceed three cents per gallon; to authorize such Court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to prohibit any incorporated city or town in said County from levying a municipal tax on gasoline, Woco-Pep or any substitute therefor; to repeal the municipal taxes on said gasoline, Woco-Pep or any substitute therefor, which may now be levied by any incorporated city or town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

Be it enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, is hereby authorized to levy and collect an excise tax of not to exceed three cents per gallon on every gallon of gasoline, Woco-Pep or any substitute therefor, sold in said County of Jackson.

Section 2. That each Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, is hereby authorized to provide the necessary machinery for the collection of said excise tax.

Section 3. One-third of said excise tax collected within the corporate limits of any incorporated city or town in Jackson County, Alabama, shall be paid over to such incorporated city or town. The remaining two-thirds of said excise tax shall be paid into the County Depository and distributed equally among the four Commissioners' districts of said County.

Section 4. After the passage and approval of this Act, it shall be unlawful for any incorporated city or town in said Jackson County, Ala-

bama, to levy a tax on gasoline, Woco-Pep or any substitute therefor, and any such tax now levied by any incorporated city or town is hereby repealed.

Section 5. That all moneys collected from the excise tax authorized in Section 1 of this Act shall be used solely for the building, construction, maintenance, repair and operation of public streets, roads, bridges and ferries in said County of Jackson, and any other incorporated city or town therein.

Section 6. That a penalty of 25% of the amount of tax due, shall be imposed and collected for failure to pay said excise tax in accordance with the orders, decrees and requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County; such penalty to be distributed and used in the same manner and for the same purpose as the excise tax.

State of Alabama, }
Jackson County. }

Before me, a Notary Public, in and for said State and County, personally appeared J. S. Benson, Editor of The Progressive Age, a newspaper published weekly at Scottsboro in said State and County, who being duly sworn, deposes and says that

A BILL

To be entitled an Act to authorize the Court of Commissioners, Board of Revenue, or other like governing bodies of Jackson County, Alabama, to levy and collect a gasoline tax of not more than 3 cents per gallon, etc., a copy of which is hereto attached, was published for 4 consecutive weeks: June 30, July 7, 14, 21, in said paper.

J. S. Benson,
Editor.

Sworn to and subscribed before me this 23rd day of July, 1927.
P. W. Campbell,

Notary Public.

By Mr. Morrow:

H. 869. To make each County in the State of Alabama, which now has over One Hundred and Fifty Thousand population, according to the last census taken by the United States of America, or which may hereafter have over One Hundred and Fifty Thousand population, according to a census which may hereafter be taken by the United States of America, a Stock Law District, and to make it unlawful for stock to run at large in such Stock Law District, subject to the same penalty or penalties and in the same manner and way as is provided by general laws of the State of Alabama, pertaining to other Stock Law Districts in the State.

Local Legislation.

By Mr. Morrow (with Notice and Proof):

H. 870. To authorize the trustee of and for the Sixteenth Section in Township 17, South of Range 5, West of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in equity, af-

ter said Court has ascertained the substantial equality of the respective monetary values of each tract; and provided further, that the existing lessees of said Sixteenth Section consent in writing to surrender all their rights, title and interests as lessees or otherwise, in and to said Sixteenth Section, or consent to take in substitution for their existing rights as lessees a lease to such other or different land in said Township; and to substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

Local Legislation.

Notice and Proof H. 870.

NOTICE OF INTENTION TO APPLY FOR THE ENACTMENT OF
A LOCAL LAW.

Notice is hereby given that application will be made for the enactment by the current Legislature of Alabama of the following Local Law or of the following Local Law as the same may be validly amended without departure from its substance:

A BILL.

To be entitled an Act to authorize the trustee of and for the Sixteenth Section in Township 17 South of Range 5, West of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in Equity, after said Court has ascertained the substantial equality of the respective monetary values of each tract; and provided further that the existing lessees of said Sixteenth Section consent in writing to surrender all their rights, title and interests, as lessees or otherwise, in and to said Sixteenth Section, or consent to take in substitution for their existing rights as lessees a lease to such other or different land in said Township; and no substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

Be it enacted by the Legislature of Alabama:

Section 1. The trustee of and for the Sixteenth Section in Township 17 South of Range 5, West of the Huntsville Meridian, in Jefferson County, Alabama, be and is hereby authorized to sell said section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in Equity, after said Court has ascertained the substantial equality of the respective monetary values of each tract; and provided further the existing lessees of said Sixteenth Section consent in writing to surrender all their rights, titles or interests, as lessees or otherwise, in and to said Sixteenth Section, or to take in substitution for their existing lease of said Sixteenth Section a lease of such other or different land in said Township.

Section 2. Be it further enacted that upon the consummation, as aforesaid, of the exchange authorized in Section 1 of this Act the other or different land in said Township acquired by said Trustee in exchange for said Sixteenth Section shall be and become, by substitution, the corpus

of the trust estate defined in the Act approved September 10, 1915, (Local Acts 1915, pp. 313-16), and bearing the following title:

"To require the county superintendent of education of Jefferson County to appoint a man living in T. 17, S. of R. 5 W., to take charge of section sixteen in T. 17, S. of R. 5 W., of the Huntsville Meridian, lying in Jefferson County, Alabama, as trustee, and collect the rents and royalty thereof as they accrue; to file a bill as trustee as complainant, in the equity side of the Circuit Court of Jefferson County, Alabama, against the lessee, or lessees thereof, and Ira Van Salter, former trustee, for direction of the court in the management of the trust estate and to settle with the former trustee, and make new leases of the property when necessary, and take the management of the trust estate as long as it is in existence."

Section 3. This Act shall become operative and effective from and after the date of its enactment.

Monroe E. Clinton.

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the County and State, aforesaid, personally appeared George M. Howle, Editor of The Weekly Call, a weekly newspaper published in said State and County, who, being by me first duly sworn, deposes and says that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for four consecutive weeks, commencing on June the 25th, 1927.

Geo. M. Howle,

Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 16th day of July, 1927.

Bessie Stephens,
Notary Public.

By Mr. McAdory:

H. 871. To amend Section 5191, Code of Alabama, 1923.

Public Health.

By Mr. Hawkins (with Notice and Proof):

H. 872. To provide for and regulate the appointment of deputy Constables by the Constables of Precincts Thirty-three, Forty-five and Thirty-seven of Jefferson County, Alabama, and fix the allowances and fees of the Constables of said Precincts.

Local Legislation.

Notice and Proof of H. 872.

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a bill to allow the constables of precincts thirty-three, forty-five and thirty-seven in Jefferson County, Alabama, to appoint deputies with like powers and duties as constables; each constable appointing any such deputy to be responsible for the official act of such deputy as in the case of sheriffs of the several counties of this State; and to prescribe and fix the fees and allowances of such constables.

State of Alabama, }
Jefferson County. }

Before me, the undersigned Notary Public, in and for said County in said State, personally appeared L. W. Jones, who being by me duly sworn,

deposes and says that he is the Manager of the Bessemer Advertiser and that the attached notice was published in the Bessemer Advertiser, a weekly newspaper of general circulation, published at Bessemer, Jefferson County, Alabama, for four consecutive weeks, that is: February 24th, 1927, March 3rd, 1927, March 10th, 1927, and March 17th, 1927, and that said notice was published without cost to the State.

L. W. Jones.

Sworn to and subscribed before me this 11th day of July, 1927.

C. S. Bentley,
Notary Public.

By Mr. Hawkins (with Notice and Proof):

H. 873. To authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

Municipal Organization.

Notice and Proof of H. 873:

State of Alabama, }
Jefferson County. }

Before me, the undersigned authority in and for said County, in said State, personally appeared A. H. Cather, who being by me first duly sworn, deposes and says that he is the Editor and Publisher of The Southern Labor Review, a newspaper published in Jefferson County, Alabama; that said Southern Labor Review is, and upon the dates hereinafter specified was, a newspaper published in Jefferson County, Alabama, and of general circulation therein; and that upon the 22nd day of June, 1927, the 29th day of June 1927, the 6th day of July, 1927, and the 13th day of July, 1927, the following notice was published and appeared in said newspaper:

To Whom it May Concern:

Take notice that the following Bill will be introduced at the present session of the Legislature of Alabama and its enactment sought:

A BILL

To be entitled an Act to authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

Be it enacted by the Legislature of Alabama:

That for the purpose of acquiring sites for new fire stations and for building, erecting and equipping new fire stations, and for the purpose of equipping, extending, enlarging, improving or repairing fire stations already built and those to be hereafter built, and for the purpose of purchasing fire equipment for the Fire Department of the City of Birmingham, and for the purpose of improving, perfecting and extending the fire alarm system of the City of Birmingham, or for any of said purposes, the governing body of the City of Birmingham be and it hereby is authorized and empowered to appropriate and use any surplus which may remain of the

proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a Central Repair and Storage Shop for the Fire Department, pursuant to authority given by the qualified electors of the City of Birmingham at an election held in said City June 22, 1926, after the purpose for which said bond issue was authorized have been fully effectuated.

A. H. Cather.

Subscribed and sworn to before me this 14th day of July, 1927.

J. L. Sheehan,

(SEAL)

Notary Public.

By Mr. Simpson:

H. 874. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

Judiciary.

By Mr. Simpson:

H. 875. To authorize the solicitor of any Circuit in this State where judgments upon forfeited bail bonds have been obtained and placed upon record in the office of the Probate Judge of any county in this State, and such judgment appears to be a lien upon property of a person other than the defendant in said judgment of identical name with a defendant in such judgment, to file a bill of complaint in the name of the State, in the Court of Equity of such circuit requiring such person to show cause why an execution should not be levied upon his property in order that it may be determined by the Court whether or not his property is subject to such lien.

Judiciary.

By Mr. Simpson:

H. 876. To advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax-year, the net income, rents and returns from which are used, or are to be used, exclusively for educationad purposes.

Judiciary.

By Mr. Simpson.

H. 877. To amend Section 8277 of the Code of Alabama.
Insurance and Insurance Companies.

By Mr. Rogers of Mobile (with Notice and Proof):

H. 878. To repeal the act entitled "An Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

Local Legislation.

Notice and Proof of H. 878:

LEGAL NOTICE.

Notice is hereby given that the bill hereinbelow set forth will be presented for passage and enactment to the Legislature of Alabama at the

regular session thereof which commenced the second Tuesday in January, 1927; this bill is intended to repeal the Act hereinbelow specifically mentioned, this Act providing, among other things, that parties served with process must appear and plead thereto within twenty days after the return day named in the writ, and answer to any suit or demand, in the Circuit Court of Mobile County, Alabama.

The bill to be introduced reads as follows:

A BILL.

To be entitled an Act to repeal the act entitled an Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County.

Be it enacted by the Legislature of Alabama:

Section 1. That the Act entitled An Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County. Acts 1900-01, page 852, is hereby repealed.

AFFIDAVIT OF PUBLICATION.

State of Alabama, }
Mobile County. }

Before me, Jas. S. Lynch, a Notary Public in and for said County and State, personally appeared Mrs. C. W. Thomas, who, being known to me, deposes and says that she is the publisher of The Citronelle Call, a newspaper published weekly in the town of Citronelle, County of Mobile, State of Alabama, and that the attached advertisement is a true and correct copy of same as published for four consecutive weeks in The Citronelle Call, in the issues dated June 3, 10, 17 and 24.

Mrs. C. W. Thomas.

Sworn and subscribed to before me this 15th day of July, 1927.

Jas. S. Lynch,
Notary Public.

By Mr. Vickers:

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such counties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use thereof; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to expend

county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside of the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and authorizing such counties to enter into such contracts and operate such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this Act authorizes the governing bodies of such counties to do.

Municipal Organization.

By Mr. Carter:

H. 880. To amend Sections 688, 691, 693, 694 and 695 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Carter:

H. 881. To define and establish the meaning of the term "Embalming" for the purposes of Chapters 21 and 124 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Carter:

H. 882. To amend Section 3959 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Patterson (with Notice and Proof):

H. 883. For the relief of W. P. Hampton, and to reimburse him for expenses incurred in doctor bills, nurse hire, hospital bills, and medicine, and other expenses paid out by him while in the hospital and before recovering, after being wounded as law enforcement officer in the discharge of his duty for the State of Alabama.

Local Legislation.

Notice and Proof H. 883:

NOTICE.

Notice is hereby given that I will have introduced and passed an Act in the Legislature of Alabama, the substance of which shall be for my relief as law-enforcement officer of the State of Alabama to pay me out of the treasury of the State of Alabama all expenses, including hospital bills, nurse's hire, doctor's bills, and other expenses to which I was put after being wounded in the discharge of my duty as law-enforcement officer. This 18th day of January, 1927.

W. P. Hampton.

STATE OF ALABAMA,

Morgan County.

Before me, Robert T. Sheppard, a Notary Public in and for said State and County, personally appeared B. C. Shelton, known to me to be the Managing Editor of the Albany-Decatur Daily, a newspaper published in Albany, Morgan County, Alabama, and who being by me duly sworn, deposes and says that the attached notice to have introduced and passed an Act in the Legislature of Alabama, the substance which is for the relief as law enforcement officer of the State of Alabama, will have paid out of the Treasury of the State of Alabama, all expenses, hospital bills, nurse's hire, doctor's bills and other expenses to which the signer of the attached bill, W. P. Hampton, was put after being wounded in the discharge of his duty as law enforcement officer, was published in the Albany-Decatur Daily in its issues of January 21-28 and February 4-11, 1927.

B. C. Shelton,
Managing Editor.

Sworn and subscribed to before me, this the 19th day of July, 1927.

Robert T. Sheppard,
Notary Public.

(SEAL)

My commission expires Dec. 1, 1928.

By Mr. Goodwyn:

H. 884. To amend Sections 6777 and 6779 of the Code of Alabama, 1923.

Judiciary.

By Mr. Langdon:

H. 885. To require a popular election to approve or authorize the levy of any tax or license on gasoline or other motor fuel by counties or municipalities before such levy shall be valid, to provide for the calling and holding of such election, and to repeal, vacate, and prohibit all municipal and county gasoline or other motor fuels license and tax levies unless so authorized or approved, and to provide for and regulate such elections.

Public Roads and Highways.

By Mr. Smith (by request):

H. 886. To amend Section 5523 of the Code of Alabama of 1923.

Judiciary.

By Mr. Ware:

H. 887. To make an additional appropriation for the maintenance of the State Child Welfare Department.

Appropriations.

By Mr. Hubbard:

H. 888. To amend Section 8617 of the Code of Alabama, 1923.
Revision of Laws.

By Mr. Miller of Sumter:

H. 889. To amend Section 118 of the School Code of Alabama.

Pensions.

By Mr. Miller of Sumter (with Notice and Proof):

H. 890. For the relief of the Western Construction Company.
Appropriations.

Notice and Proof H. 890:

NOTICE OF INTRODUCTION OF BILL IN LEGISLATURE OF ALABAMA

Notice is hereby given that a bill will be introduced in the Legislature of Alabama for the relief of the creditors of the Western Construction Company, on account of loss on sub-contracts for work and labor done and goods, material and supplies furnished for said Western Construction Company in building and grading The State and Federal Aid Road from a point near the residence of W. A. Williams about one and one-third miles South West of Livingston to the Mississippi State line by the way of York and Cuba.

The substance of said bill being that whereas the State of Alabama, through it's Highway Commission let a contract to the Western Construction Company a corporation, to grade the road and build bridges and do other work on said State and Federal Aid Project and whereas the sub-contractors and persons who furnished goods, labor and material to said Western Construction Company were not protected by the original bond taken from said Western Construction Company by said State Highway Commission and whereas by reason of said failure to properly protect the above creditors in said original bond and by reason of the Western Construction Company being insolvent and failing and refusing to pay for work and labor done by sub-contractors and others and for material and goods furnished by diverse person, the above creditors had heavy financial loss and whereas the affairs of the said Western Construction Company were turned over to Trustees to work out and said Trustees were enabled to pay only about sixty per cent of the amount of the claims filed with them, a bill will be introduced in the State Legislature making an appropriation from the State Treasury to pay and refund to said creditors who filed and proved their claims with said Trustees, against said Western Construction Company, the balance due on said claims so filed with said trustees, for work and labor and goods and material furnished said Western Construction Company.

State of Alabama, }
Sumter County. }

Personally appeared before me, J. C. Travis, Register of the Circuit Court in and for said County and State, O. C. Morgan, Sr., who being by me first duly sworn, deposes and says that he is the publisher of the Sumter County Journal, a newspaper published at York, in said County and State, and that the notice, a true copy of which is hereto attached, was published in said paper once a week for four consecutive weeks, commencing

on the 16th day of June, 1927, and being published on June 16th, 23rd, 30th and July 7th, 1927, respectfully.

O. C. Morgan, Sr.

Sworn to and subscribed before me on this 19th day of July, 1927.

J. C. Travis.

SEAL) Register of the Circuit Court of Sumter Co., Ala., in Equity.

By Mr. Ashcraft:

H. 891. To further provide for the taxation of Express Companies doing intrastate business in the State of Alabama.

Ways and Means.

By Mr. Powell:

H. 892. To amend Section 144 of the Code of Alabama of 1923.

Education.

By Mr. Powell:

H. 893. To amend Section 130 of the Code of Alabama of 1923.

Education.

By Mr. Powell:

H. 894. To amend Section 135 of the Code of Alabama of 1923.

Education.

By Mr. Goodwyn:

H. 895. To make an appropriation to reimburse the Department of Archives and History the sum of five hundred dollars paid out of the maintenance fund of that department in the purchase of a portrait of General Robert E. Lee.

Appropriations.

By Mr. Moxley (with Notice and Proof):

H. 896. To authorize and require the treasurer of Crenshaw County, Alabama, or the custodian of funds of said county annually after having first paid interest due on the bonded indebtedness of the County out of the road and bridge fund as derived from the ad valorem taxes, to set aside the remainder of said road and bridge fund for the purpose of paying old road and bridge warrants of the County, and to prescribe the order in which such warrants are to be paid.

Local Legislation.

Notice and Proof H. 896:

NOTICE.

Notice is hereby given of intention to introduce a bill in the adjourned session of the Legislature of Alabama, the substance of which bill will be:

To authorize and require the County Treasurer or the Custodian of the funds of Crenshaw County, to, after first paying the interest on the bonded indebtedness of the County of the funds derived from the County Road and Bridge Funds from the ad valorem tax, to set aside the re-

mainder of such funds for the purpose of paying old road and bridge warrants of said county, and to pay same in the order in which they are registered.

Respectfully submitted,
J. B. Moxley,
Representative, Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, W. B. Martin, Editor and Manager of the Crenshaw County News, published weekly at Luverne, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 30th, 1927, and ending with the issue dated July 21st, 1927.

Subscribed and sworn to before me this 21st day of July, 1927.

W. B. Martin.
R. T. Simon,
Judge of Probate.

By Mr. Monk (by request):

H. 897. To make it unlawful for any person, firm or corporation to engage in or carry on, or be concerned in carrying on any picture show, vaudeville or other amusement where an admission is charged, in the State of Alabama, and to make it unlawful for any person to play baseball, football or golf, or to engage in any pugilistic or wrestling contest or exhibition, where an admission fee is charged on Sunday in the State of Alabama.

Revision of Laws.

BILLS ON SECOND READING.

Mr. Johnson, Chairman of the Standing Committee on Insurance and Insurance Companies, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 801. To authorize and regulate the granting of insurance upon the lives of children by fraternal benefit societies and to provide the rates of contribution and the maintenance of reserves thereon and the designation and changing of beneficiaries therein.

Mr. Norman, Chairman of the Standing Committee on Public Printing, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 427. To provide that every officer, clerk, board or commission charged with the duty of contracting for, or purchasing, all stationery supplies, printing and printing supplies, engraving, lithographing and embossing, including record and blank books, tax receipts, warrant books, pay certificates, legal forms and blanks, bound and unbound books, office files and furniture, to be

furnished to, or used by the various counties of the State of Alabama, or the officers thereof, shall be contracted for, or purchased from responsible bidders only; to define a responsible bidder within the meaning of this Act; to prohibit the sub-letting of contracts for supplies herein set forth to persons, firms or corporations who are not responsible bidders; to provide that all warrants issued for purchases and contracts let in violation of the provisions of this Act shall be null and void; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

H. 428. To define those persons, firms or corporations who shall be regarded or treated as responsible bidders within the meaning of Section 2899 of the Code of Alabama of 1923, and within the meaning of Section 69 of the Constitution of the State of Alabama of 1901.

Mr. Lee, Chairman of the Standing Committee on Banks and Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 630. To amend Section 6376 of the Code of 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

H. 497 (with substitute). To amend Section 6702 of the Code of Alabama, 1923.

H. 385 (with substitute). To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama of 1923, and to appropriate sufficient funds to pay the expenses incurred therein.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 851. To create, form and incorporate a Seawall District in Mobile County, to be known as 'Seawall District Number One of Mobile County, Alabama,' for the building and maintaining of seawalls and other protection against seas, waves, storms and floods, and to provide for the assessment of the whole or part of the cost of such improvement against the land in such district to the extent of the increased value of such land by reason of the special benefits derived from such improvements, and to provide for the issuance of bonds by such district without an elec-

tion; to name and define the boundaries of such district, its objects, purposes, powers, functions and period of existence; to provide a complete system for the administration of the affairs of such district, including planning and designation of seawalls therein to be constructed, improved or maintained, the ascertainment and determination of the extent of the increased value of the land in such district by reason of the special benefits derived from such improvement, prescribing the lands in such district the value of which is increased by reason of special benefits derived from each of such improvements, providing for the assessment against each piece or parcel of such land of its proportionate part of the whole or a part of the cost of such improvement, the collection of such assessments, the letting of contracts for such improvements, and the issuance of sale of bonds by such district; to provide for the appointment, by the Board of Revenue and Road Commissioners of Mobile County, of five persons, as the Board of Commissioners for such district, and to provide the term of office of such commissioners, and for the filling of vacancies and the appointment of their successors or any succeeding commissioner, and to prescribe the powers, authority, duties, rights and limitations of the Board of Commissioners of said district, the compensation of the members thereof and how the same shall be paid, and to provide for additional compensation of the secretary of such board, and how the same shall be paid; to provide the qualification of all succeeding commissioners; to provide machinery for the qualifications of said commissioners and the organization and functioning of said board of Commissioners of said district, and for the employment by said board of necessary employees, engineers, agents and attorneys, and the fixing of their respective duties, compensation and bond, if any, and to provide how such compensation shall be paid; to provide for the planning and construction of seawalls within said district; to provide how such plans may be formed and adopted or rejected, for the filing of such plans and specifications, the manner and method of objections, if any, by persons affected by such proposed improvement and the effect of such objections or the failure so to object; to provide for a meeting of said board of commissioners of said district to hear any objections to such improvements and to provide for notice of such meeting; to provide that if any such improvement be not made, all amounts borrowed and all costs incurred or accrued shall be paid by the County of Mobile; to provide for the adoption of one or more plans and specifications approved by said board; to provide for the preparation of a list of lands in said district specially benefited from or increased in value by reason of each such improvement; to provide for the appointment of three persons as a Board of

Assessors for said district, for their term of office, for the filing of vacancies on said board, and the appointment of their successors or any succeeding member of said board, for the organization of said Board of Assessors and the oath of its members, for the compensation of members of said board and for the payment of such compensation and to provide generally, the powers, authorities, limitation and the duties of said Board of Assessors, including the power and duty to ascertain, determine and report the increased value of each such lot or parcel of land by reason of the special benefits derived from such proposed improvement; to provide for the filing and notice of the filing of said report; to provide the manner in which said notice shall be given; to provide for the filing of objections to such ascertainment or benefits, and the effect of the failure so to do; to provide that the Board of Revenue and Road Commissioners of said County shall meet to correct any errors in said ascertainment or benefits and shall hear and determine any objections thereto and correct and then approve said report, and that said report then be certified by the chairman of the Board of Revenue and Road Commissioners of said County, and shall then be opened to attack only by direct appeal; to provide for compensation of the Board of Revenue and Road Commissioners in connection with the duties imposed by this act, and the payment thereof; to provide for appeal from such determination by said Board of Revenue and Road Commissioners to the Circuit Court or other court of like jurisdiction, the time, manner, limitation and method of taking, hearing, and determination of such appeals, and effect of such appeal, and the matters which shall be considered; to provide that an appeal may be taken to the Supreme Court of Alabama from any judgment of such lower court, the time and manner thereof, that such appeal be heard upon the record and bill of exceptions; to provide for advertisement for bids for construction according to plan of improvement; to provide for the machinery of giving notice to bidders and the contents and requirements of such notice; to provide that said Board of Commissioners of said district may impose other conditions on bidders; to provide that said Board of Commissioners of said District shall open and consider such bids and shall have the right to reject any and all bids or may accept informal bids; to provide that said Board of Commissioners of said District shall fix the number of equal annual installments in which assessments may be paid; to provide that such installments shall bear interest at eight per cent and to fix the maximum number thereof; to provide how any contract by said Board of County Commissioners of said District shall be executed and for what purpose, and that surety bond shall be required from each contractor, to

provide for filing by Board of Commissioners of said District with the Board of Assessors a statement of estimated cost of construction in such plan of improvement, to provide for an assessment book, the contents thereof, and delivery thereof to Board of Assessors, how interest shall be made and how same should be kept; to provide that the Board of Assessors shall assess against such property the proportionate part of such estimated total cost of such improvement not exceeding the increased value by reason of benefits derived from such construction, limitation thereon, how such assessment shall be arrived at, effect of error therein and correction thereof; to provide for the certification of said book by said Board of Assessors, filing thereof with Judge of Probate and for notice of the filing thereof; to provide that sale of land hereunder shall affect only the assessment under which same was made; to provide for objections to and the hearing, determination and adjustment of any objection to any such assessment, and effect of failure to object; to provide that any one desiring to pay any assessment in installments shall deliver to chairman of said Board of Assessors an agreement to that effect, when same must be filed, contents thereof, how executed, to be recorded in Probate Court; to provide for hearing of objections to such assessment, and the machinery therefor, the approval, confirmation and correction of such assessment; to provide for the increase of assessments by the Board of Revenue and Road Commissioners, for what purpose, how, limitation thereon, notice thereof by Judge of Probate, contents of such notice, when, how, and to whom given, and effect of failure to file protest against such proposed increase; to provide for a hearing and determination of such protest; to provide for the approval of such assessments and the effect thereof, and for the certification of the assessment book; to provide that such assessments shall constitute a lien upon such land, and the priority of such lien; to provide how such assessments may be reduced; to provide that the Board of Commissioners of said District may assign such lien to contractors or others; to provide for an appeal from the final order of the Board of Revenue and Road Commissioners relating to any assessment of the Circuit Court or similar court, how, when, and by whom taken, and the effect thereof; to provide that if no such appeal is taken, such assessment shall be final and binding; to provide how such appeals shall be taken and tried and the determination thereof; to provide for appeals to Supreme Court of Alabama, when, by whom, and how taken, and that such appeals shall be heard upon the record and bill of exceptions; to provide that interest and damages be added to the judgment if supersedeas bond given and judgment affirmed; to

provide for the enforcement of such judgment; to provide how assessments or installments may be paid, when, where, amount thereof, interest thereon, and the effect of waiver of right to pay in installments; to provide for sale of property upon failure to pay assessment, or installment, notice of such sale; to provide that mandamus may issue to compel such sale, by whom and to what court applied for, enforcement thereof; to provide the machinery for such sales, that costs of such sale be a charge against property sold, execution of deed, what same shall convey, surplus arising from such sale, to whom paid, for whom kept; to provide that such district may purchase such property on such sale, how deed shall be made; to provide for the redemption of such property, by whom, when, how made; to provide that no mistake in name of owner or description of property in any publication shall vitiate any assessment or lien; to provide that an ineffectual sale shall operate as assignment or lien and for supplementary proceedings to correct such errors, by whom and how; to provide what shall be the effect or failure to mail or receive any notice upon any proceeding authorized in this act; to provide for machinery of collection and remittance of assessments of installments, penalties and interest by the tax collector of said county, and to prescribe his duties, powers, liability, commission and fees, including his duty to pay over to said Board of Commissioners of said District all collections, less commissions and fees, together with a written statement from time to time, and to provide the contents of such statement, when and how made and filed, and that his accounts be public records; how money shall be paid out by him, contents of warrants, how warrants made, bond of treasurer, premiums thereon, how paid; to provide when additional assessments may be levied, how, limitation; to provide for the issuance of bonds, by said Board of Commissioners, of said District, when, for what purpose, how, to whom, in what amount, where payable, time, character and maturity of such bonds of installments thereof, and for the appointment of Registrar or transfer agents by said Board of Commissioners of said District; to provide when and in what manner and under what limitations the Board of Commissioners of said District may issue such bonds to the contractor or contractors in payment in whole or in part of the contract price of the work done by such contractor or contractors; to provide generally when, how, in what manner, upon what terms and under what limitations such bonds or any part thereof may be sold or otherwise disposed of, and by whom and under what conditions and at what price such bonds may be sold, or otherwise disposed of; to provide how and when validity of such bonds may be contested; to provide for the publication of resolutions of said Board authorizing the issue, sale, and delivery of such bonds and con-

tents thereof; to provide for notice by said Board of sale of such bonds, execution of contracts of construction; to provide for deposit of funds received by said Board in depository approved by Board of Revenue and Road Commissioners; to provide for the application of proceeds of sale of such bonds and money collected from assessments, penalties and interest; to provide the liability of the treasurer of said Board and the County Tax Collector for diversion of funds; to provide for refund of money collected in excess of costs of such improvements; to provide that said Board of Commissioners of said District may acquire property by purchase or condemnation; to provide for the maintenance of such seawalls; and the reimprovement thereof; to provide for the appointment of a receiver to collect assessments, and application of proceeds so collected, and discharge of such receiver; to provide that said Board of Commissioners of said District shall annually file account with Board of Revenue and Road Commissioners, audit thereof; to provide that said Commissioners of said District and Assessors shall be liable only for wilful misconduct; to prescribe penalties and punishment of any one for violation of terms of this act; to provide for the reimbursement of said county for fees and expenses paid out hereunder; to provide for the fees of county officers for services rendered hereunder; to provide as to the constitutionality hereof, the repeal of laws in conflict herewith, and when this act shall take effect."

H. 848. To provide for the election of a County Superintendent for Education for St. Clair County, Alabama, by the qualified electors of said County, and to prescribe the duties and fix the term of office and compensation of such officer.

H. 824. To require County Board of Education of Coosa County, Alabama, to publish certified copies of the minutes of its proceedings of each regular, special, called and adjourned terms in some newspaper published in Coosa County, Alabama, and if no newspaper is published in the County then to require certified copies of the minutes of such terms to be posted at the court house and at the postoffices of the county; to provide for a certified copy of the minutes to be delivered to the publisher of some newspaper, and to provide for payment of publication of the minutes and for making the certified copy of the same; and to provide a penalty for failing to comply with the provisions of this act.

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing

the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise. ;

H. 847. To establish an inferior court in precinct 1, Russell County, Alabama, in lieu of all justice of the peace courts in said precinct, and to define the jurisdiction and powers of said court and the judges thereof, to provide for the execution of processes of said court and the operation thereof, to provide for the appointment, election, term of office, qualification and compensation of the judge thereof, and to abolish the offices of all justices of the peace in said precinct.

S. 369. To amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, Woco-Pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20th, 1923, by amending Sections 7 and 8.

H. 636. For the relief of the Decatur Cornice & Roofing Company, Inc., a Corporation, and to authorize, empower and require the Board of Revenue of Morgan County, Alabama, to pay to the said Company the sum of Two Hundred Forty-nine and 38-100 Dollars (\$249.38) for the purpose of refunding to the said Company the said sum, which it erroneously over-paid to the County of Morgan, on the taxes on its personal property for the year 1919, and to reimburse the said Company in the said sum so over-paid.

H. 811. To provide that in St. Clair County, Alabama, the Assessment Lists or sheets shall constitute the book of assessments as required by the general revenue law.

H. 634. For the relief of the Decatur Cornice & Roofing Company, Inc., a Corporation, and to authorize, empower and require the City Council of the City of Decatur, Alabama, to pay to the said Company the sum of One Hundred Ninety and no-100 Dollars, (\$190.00), for the purpose of refunding to the said company the said sum, which it erroneously over-paid to the City of Albany, Alabama, on the taxes on its personal property for the year 1919, and to reimburse the said Company in the sum so over-paid.

H. 606. To amend an act entitled an act to amend an act, to establish a county court for Morgan County; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County. Approved September 19, 1923.

H. 299. To repeal an act entitled "An act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

S. 254. To provide for the election of a County Superintendent of Education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

H. 749. To abolish the Town of Edwardsville, a Municipal Corporation in Cleburne County, Alabama, and to dissolve the incorporation thereof and to provide for the disposition of the records of said town.

H. 750. To provide for the election of a Recorder in the Town of Heflin, Cleburne County, Alabama, to define the powers of such Recorder and to prescribe his duties and jurisdiction.

H. 751. To provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified

voters of Cleburne County, Alabama, at the general election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same.

H. 741. To reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

H. 802. To alter and re-arrange the boundary lines of the Town of Ashland, Alabama, so as to include within the corporate limits of said Town the territory described in section one of this Bill.

H. 721. To authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said city and State.

H. 816. To alter or rearrange the boundary lines of the Town of Thomasville, Alabama, so as to include in the corporate limits of said town certain territory not now included, and to exclude from the Town of Thomasville, Alabama, certain territory now included in the corporate limits of said town.

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of Eight Hundred Dollars out of the general funds of the County, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

H. 759. To authorize the Board of Education of any county in this State in order to acquire, construct, or repair any school building in any school district of their respective counties, or for paying for a public school building or building already built in any such district or to raise money for any such purpose, or to pay any person, firm or corporation for labor done or material furnished or money furnished for the purpose of building any public school building in such district, the title to which is invested in the State of Alabama, to issue and sell 6% interest bearing school warrants payable out of the three mill district school taxes now levied or which may be hereafter levied and collected in said school district in such amount as may be necessary for such purpose or purposes.

H. 760. To amend Sections 2 and 4 of an act entitled "An act to provide for the election of a County Solicitor for Monroe County, to define his duties and his compensation," approved September 25th, 1919.

H. 803. To require the commissioners' court of Coosa County, Alabama, to publish in some newspaper published in said county for one week, a certified copy of the minutes of each regular, special, called, adjourned or revenue terms of said court, and if no newspaper is published in the county then to post cer-

tified copies of the minutes of said terms at the court house, and at the postoffices at Goodwater, Kellyton, Nixburg, Equality, Weogufka, and Marblevalley, in said county, to require the chairman or presiding officer by whatever name known or called of the commissioners' court of said county to make out said certified copy and deliver the same to the editor or publisher of some newspaper in said county, and to post certified copies of minutes at points in said county designated in this act, should there be no newspaper published in said county, or should newspapers fail or refuse to publish the same, and to provide compensation for publishing certified copies said minutes and for making the same by the chairman of the commissioners' court, and to provide a penalty for failing to comply with the provisions of this act.

H. 779. To authorize the Court of County Commissioners, Board of Revenue, or other governing body of Elmore County, Alabama, to fix the salary of the Chief Deputy sheriff of said county.

H. 786. To provide for the election of a County Superintendent of Education for Lamar County, Alabama, to fix his or her term of office, to prescribe his or her salary, and the manner of payment, to define his or her qualifications, powers and duties, to provide for his or her election and term of office for County Superintendent and to provide for the election of his or her successor in office.

S. 281. To provide that in Lauderdale County, Alabama, the assessments lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

H. 788. To amend an act entitled "An act to provide for the working, repairing, maintaining and improving the public roads of Monroe County, Alabama; to prescribe rules and regulations for the same; to provide a per capita road tax in lieu of labor on the public roads of Monroe County, Alabama, and for the collection of a license tax for vehicles and motor driven trucks providing for superintendents of the public roads of Monroe County; providing for the duties of members of the Board of Revenue with reference to public roads and bridges of Monroe County; prescribing penalties for the violation of the same," approved August 1st, 1923, by amending sections 5, 9, 10, 11, and 12 thereof to read as hereinafter set out, and to repeal sections 14, 15, 16, 17, 18, 19, and 20 thereof.

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers

and duties of the members of said Board, the Chairman and Clerk thereof, and to provide for their compensation.

H. 828. To amend an act entitled an act, "To further prescribe the duties of county treasurers in counties of more than two hundred thousand population according to the last or any subsequent preceding Federal census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds," approved October 31st, 1921.

H. 830. To repeal an act entitled an act, "to provide for building and maintaining public highways through incorporated towns and cities by Boards of Revenue and Courts of County Commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such Boards of Revenue and Courts of County Commissioners for road purposes," approved March 17th, 1915.

H. 827. "To render cities in this State of one hundred and fifty thousand (150,000) inhabitants or more according to the last or any subsequent Federal census liable for court costs."

H. 829. To amend Section 6774 of the Code of 1923.

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the firemen's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees; to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under existing laws during the terms for which they have been elected, same to be trustees under this act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said Board of Trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed

for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective Firemen's pension and relief funds as created and provided in this act the respective funds and moneys and properties constituting Firemen's pension and relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

S. 284. To amend section 6 of an act entitled "An act to establish a Board of Revenue for Lowndes County, and to define the powers and duties of said Board of Revenue," approved March 7, 1876.

S. 285. To amend section 1 of an act, entitled "an act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted

on the following bill and ordered same returned to the House with a favorable report with substitute:

H. 852 (with substitute): Providing that in all counties in the State having a population of not less than eighty-five thousand and not more than two hundred fifty thousand according to the last or any subsequent federal census, the clerks of all courts in such counties shall tax three dollars as costs in all cases brought in any courts of any of said counties and pay the same when collected into the "Municipal Employees Pension and Relief Fund" of the largest city in said county.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 698. To amend Sections 10327, 10328, and 10329 of the Code of 1923.

H. 789. To amend Section 1187, Section 1189, Section 1190 and Section 1193 of the Code of Alabama, 1923.

H. 142. To further amend an act entitled "An Act to establish an Inferior Criminal Court for Jefferson County, Alabama, to define the jurisdiction and power of said court, the judge, clerk, and other officers thereof; to provide for the place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries," approved September 10, 1919 (Local Acts of 1919 page 121 to 130, inclusive), and the act amending said act, approved February 9, 1923 (Local Acts of 1923, page 16 to 19, inclusive), and to provide for the increase of the salary of the judge and other officers and employees of said court, and to amend the provisions as to the judges, officers and employees of said court, their number, appointment, authority and to provide for the creation and manner of appointment, duties and salary of an additional judge of said court, to be known as Supernumerary Judge.

H. 286. To amend Section 8061 of the Code of Alabama of 1923.

H. 287. To amend Section 8041 of the Code of Alabama and to repeal Section 8043 of the Code of Alabama of 1923.

H. 527. To amend Section 7331 of the Code of Alabama, 1923.

H. 536. To provide for the purchase of Rayburn's Alabama Jury Charges for the use of members of the Supreme Court, Court of Appeals, Circuit Judges and Circuit Solicitors of the State of Alabama.

H. 846. To amend Section 5523 of the Code of Alabama, 1923.

H. 366. To amend Section 10358 of the Code of Alabama of 1923.

H. 504. To provide for the joining of suits for loss of services of married women and minors, with suits for personal injuries occasioning such loss of services, and repealing laws in conflict herewith.

H. 510. To make admissible in the evidence in behalf of the defendant in criminal cases, any evidence tending to show the motive under which the alleged misdemeanor or felony was committed, or the provocation thereto, except when such motive or provocation was undisclosed.

H. 505. To amend Section 8643 of the Code of Alabama, 1923.

H. 530. To repeal Section 7206 of the Code of Alabama, 1923.

H. 522. To amend Section 5004 of the Code of Alabama, 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 512 (with amendment). To amend Sections 7542, 7551, 7554, 7562, 7566, 7567 and 7584 of the Code of Alabama, 1923.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

H. 6. (with substitute). To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 725. (with amendment). To make appropriation to the Alabama Polytechnic Institute in lieu of certain other appropriations and revenues, the benefit of which said Alabama Polytechnic Institute has heretofore received or secured.

Mr. Byars, Chairman of the Standing Committee on Eleemosynary Institutions, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 837. To authorize the State Board of Education to prepare and maintain a register of those blind persons living in the State of Alabama in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind to assist other agencies in developing home industries; to aid

in furnishing books, materials, and tools for rehabilitating the blind; to devise other means of helping them; to provide for an annual report on the activities of the State Board of Education in connection therewith; and to make an appropriation for carrying out the provisions of the act.

Mr. Jeter, Chairman of the Standing Committee on Game, Fish and Fisheries, reported that said committee in session, had acted on the following bills and ordered same returned to the House with a favorable report:

H. 755. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, and to make it a misdemeanor punishable by fine, for any person, other than the owner or person in possession of the land whereon the same are situated, to willfully cut, break, or remove any flowers therefrom or to willfully remove, cut, break, or injure any such tree, bush, shrub, or plant, or to willfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring, or removal of, any such tree, bush, plant, shrub, or flowers therefrom, without the consent of the owner, or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

H. 756. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native or wild in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to willfully cut, break, or remove any flowers therefrom, or to willfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to willfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub or plant is situated.

H. 769. To prohibit dogs from running at large during April, May and June; to provide for the enforcement, and to provide a penalty for violation of this Act.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 773. A Bill to be entitled an Act to propose and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the Legislature to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, con-

struction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the state of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be insured by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts; and providing that the powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924; and providing that any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

"The Legislature is authorized to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the State of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed

the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts. The powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924.

Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment."

Section 2. That notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor of Alabama, which shall be published in one newspaper once a week in each County in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

By Mr. Powell

H. 724. A Bill to be Entitled an Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set fourth, viz:

Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$5,000.00 per year, net; allowance of \$7,500.00 per annum for office expenses as follows: one clerk, at \$2,100.00 per annum; two clerks at \$1,500.00 per annum, each; and \$2,400.00 per annum for all other expenses including extra clerks. The said \$2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$2,100.00 per year for a chief clerk in said office; \$1,200.00 for an assistant clerk in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$1,500.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$3,600.00 per year, net; allowance of \$1,800.00 per year for chief clerk in said office and \$1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year, net. The County Treasurer of said county shall receive a salary of \$2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter

from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries, and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of he final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

H. 809. A Bill to be entiled an Act, To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed and an election by the qualified electors of the State is hereby ordered upon such proposed amendment, and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment is as follows:

All cities, towns, villages and other municipal corporations in this State are hereby authorized to issue bonds without a vote of the qualified voters of such city, town, village or other municipal corporation, or procure means to pay for the entire cost of all improvements where the cost of such improvements is assessed or is proposed to be assessed in whole or in part against property abutting upon such im-

provements or benefited or served or increased in value by reason of such improvements, under authority of any law now in effect or hereafter enacted. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

H. 563. (with substitute). A bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held at the next general election at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the municipal corporation, Leeds, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half per centum of the value of such property, as assessed, as provided by the Constitution; and Statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporation, respectively, at election to be held by it from time to time for such purposes and to provide for such elections.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and

actions at an election to be held at the next general election at which this amendment is proposed, to-wit: The municipality of Leeds in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated therein, based on the valuation of such property as assessed for state taxation for the tax year ending on the 30th day of September next succeeding the levy; provided that for the purpose of paying bonds of indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, and for the purpose of paying bonds or indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and additional tax of one-half of one per centum may be levied and collected by said corporation; provided further, that a majority of the qualified electors of said municipal corporation voting at an election called for that purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by said municipal corporation shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Provided, further, that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of said municipal corporation to levy and collect the special school taxes, now or hereafter vested in or conferred upon them, under the Constitution or any amendment thereto; including the power of Selma to levy and collect the taxes for schools and school purpose levied in or conferred upon said city of Selma by the amendment to the Constitution of Alabama adopted thereto at the general election held in November, 1916, and which was submitted under law number 315, General Laws 1915, page 337, each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For excess rate of taxation for the year (or years):" and against excess rate of taxation proposed in excess of the rate of one (1) per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor; and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the ex-

cess rate or rates shown by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds or municipal corporation heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same shall be held in one year thereafter.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight consecutive weeks next preceding said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided for, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz: Shall the following be adopted as an amendment to the Constitution of Alabama: The municipality of Leeds, in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated, based on the valuation of such property as assessed for State taxation for the tax year ending on the 30th day of September next succeeding the levy; provided that for the purpose of paying bonds or indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds and indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, an additional tax of one-half of one per centum may be levied and collected. Provided further, that a majority of the qualified electors of said municipal corporation voting at an election called for that purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by any of said municipal corporation shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For"

excess rate of taxation for the year (or years):" and "Against excess rate of taxation for the year (or years)". The rate of taxation proposed in excess of the rate of one per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different excess rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown by placing a cross mark before or after the words, expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same purpose, shall be held in one year thereafter. This amendment shall be self executing and no act of the Legislature shall be required to put the same, or any part thereof, in force. This amendment shall not apply to counties. Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State, and the election shall be held in all things in accordance with the law governing elections and with the constitutional provisions concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation by the Governor.

Section 6. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

H. 699. (with substitute). A bill to be entitled an act to submit to the qualified voters of the State of Alabama at the general election to be held on the next regular general election day in November, 1928, for their consideration, the amendment of Section 219 of the Constitution of Alabama, so as to read as follows:

The Legislature may levy a tax of not more than 80% of the amount of the tax which may, from time to time, be levied by the United States of America on the value of all the estates, real and personal, money, public and private securities, or interest therein, or other thing of value, transferred by the interstate laws of this state, or by will, deed, grant, bargain, sale or gift, made or intended to take effect in possession or enjoyment after the death of the divisor, grantor or donor to any person or persons, bodies politic or corporate, in trust or otherwise, where the value of the estate is greater than \$50,000.00 or it is greater than \$10,000.00, where the estate does not pass to the father, mother, husband, wife, brothers, sisters or children of deceased.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration as hereinafter set forth, viz: That Section 219 of the Constitution of Alabama be amended to read as follows: The Legislature may levy a tax of not more than 80% of the amount of the tax which may, from time to time, be levied by the United States of America on the value of all the estates, real and personal, money, public and private securities, or interest therein, or other thing of value, transferred by the interstate laws of this state, or by will, deed, grant, bargain, sale or gift, made or intended to take effect in possession or enjoyment after the death of the divisor, grantor, or donor to any person or persons, bodies politic or corporate, in trust or otherwise where the value of the estate is greater than \$50,000.00 or is greater than \$10,000.00, where the estate does not pass to the father, mother, husband, wife, brothers, sisters or children of deceased.

Sec. 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each County in the State, provided there is a newspaper in the County, at least eight successive weeks next preceding the general election in November, 1928, of the election on the amendment proposed by this section to be submitted to the voters of the State for their consideration, which published proclamation shall contain a copy of the said amendment.

Sec. 3. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State upon the proposed amendment. Upon the ballots used at said election shall be printed the following, viz: "Amendment to the Constitution," and beneath these words, the following: "Shall Section 219 of the Constitution be amended to read as follows: "The Legislature may levy a tax of not more than 80% of the amount of the tax which may, from time to time, be levied by the United States of America on the value of all the estates, real and personal, money, public and private securities, or interest therein, or other thing of value, transferred by the interstate laws of this state, or by will, deed, grant, bargain, sale or gift, made or intended to take effect in possession or enjoyment after the death of the divisor, granter or donor to any person or persons, bodies politic or corporate, in trust or otherwise where the value of the estate is greater than \$50,000.00 or is greater than \$10,000.00, where the estate does not pass to th father, mother, husband, wife, brothers, sisters or children of deceased." Following the proposed amendment on the ballot shall be printed the words "Yes," and immediately thereunder the word "No." The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Sec. 4. That the officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the election law of the state for the appointment of officers to hold general elections in this state, and the election shall be held, in all things, in accordance with the law governing general elections, and with the provisions of the Constitution concerning amendments to that instrument.

Sec. 5. That the votes cast at said election shall be counted, canvassed and tabulated, and the returns thereof made to the Secretary of State in the same manner as in elections of representatives to the Legislature, and if it thereupon appears that a majority of the qualified electors who voted at such election on the proposed amendment, voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution, was read a second time, at length, and placed on the Calendar.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 817. To alter or rearrange the boundary lines of the City of Tusculumbia, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory:

H. 804. To alter and arearrange the boundaries of the Town of Brantley in Crenshaw County, Alabama.

H. 841. To create in all cities in the State of Alabama, having a population of not less than Fifty Thousand and not more than One Hundred and Fifty Thousand, according to the last or any subsequent Federal census, special funds to be known as "Municipal Employees Pension and Relief Funds"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all Municipal employees in such cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payment for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a Capitol Board of Pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this act shall take effect; and to provide that any section or provision of this act being held unconstitutional shall not affect the validity of any other section or provision.

H. 825. To amend Section 3095 of the Code of Alabama, 1923.

Mr. Hawkins, Chariman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

H. 682. (with substitute). To permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

Mr. Deloney, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 688. To exempt citizens of Alabama who are totally blind from the payment of a privilege tax to carry on a business where the capital employed in the business does not exceed two thousand dollars.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 61. To amend an act entitled "An act to make a donation of the State Capitol at Tuscaloosa," approved on January 28, 1852, and found on page fifty-five (55) of the Acts of Alabama, 1851,2.

H. 345. To amend Section 3963 of the Code of Alabama of 1923.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 805. To amend Section One of Article II of an act entitled "An act to provide a complete Educational System for the State of Alabama," approved September 26, 1919.

S. 266. To amend an act entitled an act to prescribe the qualifications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

H. 664. (with substitute). To amend Section five of an act to amend Section 3 of Article 2, Section 2 of Article 3, Section 24 of Article 3, Section 5 of Article 8, Article 12 by adding Section 5½, Section 8 of Article 12, Section 5 of Article 15, Section 3 of Article 18, Section 3 of Article 20, Section 2 of Article 24, Section 7 of Article 24, Section 10 of Article 24, and Section 2 of Article 40 of an act entitled "An act to provide a complete educational system for the State of Alabama," approved September 26, 1919, approved September 29, 1923.

Mr. Long, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

H. 833. (with substitute). To provide for and fix the franchise tax of all corporations doing business in this State that pay a privilege or license tax based upon the percentage of gross receipts, or a per centage of its production and-or sale.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 21; H. 35; H. 232; H. 234; H. 264; H. 265; H. 294; H. 334; H. 508; H. 514; H. 516; H. 518, and H. 519.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 507 and H. 711.

Mr. Lee, Chairman of the Standing Committee on Banks and Banking, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 615.

Mr. Johnson, Chairman of the Standing Committee on Insurance and Insurance Companies, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 657.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 209 and H. 821.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 780.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 785.

Mr. Deloney, Chairman of the Standing Committee on Ways and Means, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 792.

The above and foregoing bills were severally read a second time and placed on the adverse calendar.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 119. To authorize the Board of Revenue of Barbour County to grant relief to John B. Laseter, former Sheriff of Barbour County as to certain claims held by him against the Fine and Forfeiture Fund of Barbour County.

Also:

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the school code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

J. E. Speight,

Secretary.

SIGNING OF SENATE BILLS.

The Speaker of the House in the presence of the House, immediately after titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended has passed the following House Bill, and returns same herewith to the House:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this state, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs and deputies bonds, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The question was upon concurring in the Senate amendment to the Bill H. 604, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL NO. 604.

H. 604. A bill to be entitled an act to fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the Courts of County Commissioners, Board of Rev-

enue or other Court of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

Be it enacted by the Legislature of Alabama:

Section 1. That in all counties in this State, which now have, or which may hereafter have a populaion of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis, the sheriffs of such counties shall receive and be paid an annual salary of four thousand dollars net, in lieu of all other compensations, fees and emoluments and said sheriffs shall be allowed the sum of Nineteen thousand five hundred dollars (\$19,500.00) per annum for help and assistance as follows: One deputy at twenty-four hundred dollars per annum, seven deputies at eighteen hundred dollars each per annum, nine hundred dollars per annum for an attorney; nad one guard for the county jail in said counties at twenty-one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and in addition to the above allowance the sheriffs of such counties shall be allowed from the passage and approval of this Act to the 31st day of December, 1927, the sum of Two Thousand Dollars, for other expenses and ex-officio services of said sheriffs and for his personal attendance upon each session of the Juvenile Court or Courts of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff, and the said two thousand dollars to be paid to said sheriff in equal monthly installments out of the general fund of such counties, and after the 31st day of December, 1927, said sheriffs of such counties shall be allowed the further sum of two thousand and five hundred dollars per annum for other expenses and ex-officio services of said sheriff and for his personal attendance upon each session of the Juvenile Court or Court of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff. The said Two thousand five hundred dollars to be paid to the said sheriffs in equal monthly installments, out of the general fund of said counties. The selection and appointment of said deputies, guards and attorney shall be made by said sheriffs of said counties. That sheriffs of such counties shall not be allowed any additional sum for deputies, other than herein provided in this act. Provided, however, that nothing in this Act shall be considered or construed as repealing sections 6716 and 6717 of the Code of Alabama, 1923, which said sections shall remain in full force and effect.

Section 2. That in the event the bond of the sheriffs of any deputies in such counties shall be executed by a guaranty, sure-

ty, or bonding company, as surety, the amount of the annual premium to be paid to such company in consideration of such suretyship shall be paid by such counties out of the general funds of such counties.

Section 3. That in all such counties, the Courts of County Commissioners, Boards of Revenue and Courts of like jurisdiction are hereby authorized, empowered and required to provide the sheriffs in such counties with necessary quarters, books, stationery and other necessities and conveniences and pay for the same out of the general fund of such counties.

Section 4. That all compensation and salaries of said sheriffs mentioned in section one of this Act and all allowances for deputies and other assistance shall be paid out of the general fund of the several counties affected in monthly installments.

Section 5. That all of said sheriffs shall pay into the County treasury of said counties, all costs, charges of courts, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by said sheriffs as other moneys belonging to said counties are paid. The Courts of County Commissioners, Boards of Revenue and other Courts of like jurisdiction shall have the power and authority, and it shall be their duty to audit the accounts of said sheriffs for the purpose of requiring a strict compliance with the provision of this Act.

Section 6. That beginning with the first Monday after the second Tuesday in January, 1931, the sheriffs in all counties in this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken, shall receive for their services the same fees, commissions, compensation and emoluments as the sheriffs in all other counties not upon a salary basis, including compensation provided under the law for feeding prisoners.

Section 7. That beginning with the first Monday after the second Tuesday in January, 1931, the sheriffs in said counties shall be allowed one guard for the county jail in said counties at twenty-one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and in addition to allowance for guards the sheriff in such counties shall be allowed the sum of three thousand dollars per annum for ex-officio services by said sheriffs. The salary for guards and the said sum of three thousand dollars shall be payable out of the general funds of said counties, and it shall be unlawful for any Board of Revenue, Court of County Commissioners or other Courts of like jurisdiction of said counties to make any further allowance of any kind or character to said sheriffs in

addition to the above. It being the intention of this section that all sheriffs in said counties are to receive for their services only such fees, compensation, commissions and emoluments allowed by law to sheriffs of other counties not on a salary basis, and that the said sums provided for salaries for guards for the jail, and the sum of three thousand dollars for ex-officio services shall be the total charge against said counties for all purposes whatsoever.

Section 8. That all laws or parts of laws, general and local, in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. If any section, clause, provision or portion of this Act shall be held invalid or unconstitutional by any Court of competent jurisdiction such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Section 10. That this act shall take effect immediately upon its passage and approval by the Governor.

On motion of Mr. Goodwyn, the House refused to concur in the Senate amendment to the bill H. 604, and asked for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill H. 604, and the Speaker named as conferees on part of the House, Messrs. Goodwyn, Martin and Sanderson.

RECOMMITTAL OF BILL.

On motion of Mr. Allen, the Bill,

S. 173. To authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

Was recommitted to the Standing Committee on Seaport, Harbors and Maritime Commerce.

NOTICE IN WRITING.

Notice is hereby given that on the next legislative day a motion will be made to take H. 709, pertaining to the election of County Superintendent of Education of Clarke County by the voters of Clarke County, from the Adverse Calendar and placed on the regular Calendar.

This the 22nd day of July, 1927.

J. T. Johnson.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Ware called up his motion to take S. 54 from the Adverse Calendar and place same on the regular calendar and the motion prevailed.

Yeas, 81; nays, 2.

Yeas:

Messrs:

Adcock	Goodwyn	Luck	Rankin
Allen	Green	McAdory	Ringer
Anderson	Grove	Martin	Rivers
Ashcraft	Guy	Matthews	Rogers (Mobile)
Baldwin	Hampton	Merrill	Sanders (Pike)
Bartlett	Harwood	Miller (Sumter)	Sanderson
Betoe	Hawkins	Molette	Smith
Brunson	Hightower	Monk	Starnes
Bryant	Howard	Morrow	Stewart (Bibb)
Burleson	Hubbard	Moxley	Stewart (Calhoun)
Byars	Hughes	Mullen	Thompson
Cannon	Jeter	Nipper	Tompkins
Christian	Johnson	Owens	Tunstall
Cook	Jones (Bullock)	Parish	Vickers
Deloney	Jones (Cleburne)	Patterson	Waddell
Denson	Jordan (Etowah)	Pegues	Wallace
Edmundson	Jordan (Washington)	Pitts	Ward (Tuscaloosa)
Edwards	Langdon	Poole	Ware
Fite	Lawler	Powell	Weldon
Frey	Lee	Quillin	Winn
Golson			

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Nays:—Messrs. Hollis, Simpson.—2.

And the Bill,

S. 54. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission, so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations, and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the commission hereunder; and to provide measures for the enforcement of the commissions' orders, and penalties for failure to comply with the orders of the commission, or with the provisions of this Act.

Was read a second time and placed on the Calendar.

SPECIAL ORDER.

The House proceeded to the consideration of the Special Order which was the bill:

H. 354. To amend Section 7489 of the Code.

And the bill,

H. 354. To amend Section 7489 of the Code.

Was read a third time, at length, and passed:

Yeas, 73, nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Matthews	Rivers
Adcock	Fite	Merrill	Rogers (Mobile)
Allen	Frey	Miller (Sumter)	St. John
Anderson	Grove	Molette	Sanderson
Ashcraft	Gullatt	Monk	Simpson
Baldwin	Guy	Moxley	Smith
Bartlett	Harwood	Mullen	Stewart (Calhoun)
Beebe	Hightower	Nipper	Thompson
Brunson	Hollis	Norman	Tompkins
Bryant	Howard	Owens	Tunstall
Burleson	Hughes	Patterson	Vickers
Burns	Jones (Bullock)	Pegues	Waddell
Byars	Jones (Clebune)	Pitts	Wallace
Carter	Jordan (Etowah)	Poole	Ward (Tuscaloosa)
Cook	Jordan (Washington)	Powell	Ware
Darden	Langdon	Quillin	Webb
Deloney	Lee	Rankin	Weldon
Denson	McAdory	Ringer	Winn
Edmundson			

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Nay:—Mr. Morrow.—1.

And on motion of Mr. Poole the bill H. 354 was ordered sent forthwith to the Senate without engrossment.

SPECIAL ORDER.

The House proceeded to the consideration of the Special Order which was the bill,

H. 420. To amend Section 13 of an Act entitled, "An Act to impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof. Approved Jan. 25, 1927.

And the bill,

H. 420. To amend Section 13 of an act entitled. "An act to impose an excise tax, in addition to that already imposed by

the Act approved February 10, 1923; on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof. Approved Jan. 25, 1927.

Wsa read a third time, at length, and passed.

Yeas, 68; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Miller (Sumter)	Rogers (Mobile)
Adcock	Goodwyn	Molette	Sanderson
Anderson	Grove	Monk	Simpson
Ashcraft	Guy	Morrow	Smith
Baldwin	Hampton	Moxley	Starnes
Bartlett	Harwood	Mullen	Stewart (Bibb)
Beebe	Hightower	Nipper	Stewart (Calhoun)
Bryant	Hollis	Owens	Thompson
Burleson	Howard	Patterson	Tompkins
Burns	Hubbard	Pegues	Tunstall
Carter	Hughes	Pitts	Vickers
Cook	Jeter	Poole	Waddell
Darden	Jones (Cleburne)	Powell	Ward (Tuscaloosa)
Deloney	Jordan (Etowah)	Quillin	Ware
Denson	McAdory	Rankin	Webb
Edmundson	Martin	Ringer	Weldon
Fite	Matthews	Rivers	Winn

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And on motion of Mr. Poole the bill H. 420 was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE GOVERNOR.

To the Legislature of Alabama:
Gentlemen:

I herewith transmit message from the Governor relative to inquiry and answer of the Supreme Court as to the Legislative Day of the Legislature of Alabama.

Respectfully,
Gaston Scott,
Secretary to the Governor.

To the Legislature of Alabama:
Gentlemen:

Complying with the request of the sub-committee of the Rules Committee of the House of Representatives, I, as Governor, propounded to the Justice of the Supreme Court, in writing a request that they furnish an opinion in writing on certain specific questions and a majority of the Court has complied by filing in this office their reply thereto in writing.

I herewith transmit to you for your records the questions propounded to the Supreme Court and their reply thereto, the original of which is on file in the Governor's Office.

Respectfully,
Bibb Graves,
Governor.

STATE OF ALABAMA—EXECUTIVE DEPARTMENT.

July 20, 1927.

To the Honorable John C. Anderson, Chief Justice, and Honorable A. D. Sayre, Ormond Somerville, Lucien D. Gardner, Wm. H. Thomas, Virgil Bouldin and Joel B. Brown, Associate Justices of the Supreme Court of Alabama.

Gentlemen:

As Governor of the State of Alabama and under and by virtue of the provisions of Sections 10290-10291, Code of Alabama of 1923, I respectfully request the Justices of the Supreme Court to render a written opinion upon the following questions, the facts being as follows:

On Tuesday, July 12th, 1927, which was the Thirtieth (30th) Legislative Day of both the Senate and the House of Representatives, the Senate adjourned until Wednesday, July 15th, and held a session on that day. On Tuesday, July 12th, the House of Representatives adjourned until Thursday, July 14th, without joint action of both the House and Senate. The Journal of both the Senate and House will show that both of these bodies were in session on Thursday, July 14th and Friday, July 15th, and again in session on Tuesday, July 19th.

In view of the above facts, as Governor, I request your written opinion in answer to the following specific questions:

First: What is the Legislative Day of the Senate?

Second: What is the Legislative Day of the House?

Third: Was the day on which the Senate was in session and the House not in session a Legislative Day?

Fourth: If there is one Legislative Day for the Senate and a different Legislative Day for the House, how may the House and Senate reach the same Legislative Day on the same Calendar Day in a constitutional manner?

Respectfully submitted,
Bibb Graves,
Governor of Alabama.

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT.

July 21, 1927.

To His Excellency, Bibb Graves,
Governor of Alabama.

Dear Sir:

Replying to your inquiry of July 20th, hereto prefixed, we beg to advise as follows:

Section 48, of Article IV, of the Constitution of Alabama, provides that "The Legislature shall meet quadrennially at the Capitol, * * *, on the second Tuesday in January next succeeding their election, or on such other day as may be prescribed by law; and shall not remain in session longer than sixty days at the first session held under the Constitution, nor longer than fifty days at any subsequent session." Section 58, following, provides that "Neither House shall, without consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting, except as otherwise provided in the Constitution."

Under Section 48 it seems clear that when a session of the Legislature is begun, it must proceed continuously for fifty days, not counting Sundays, unless by the joint or concurring action of both Houses, adjournments over should be declared.—*Moog v. Randolph*, 77 Alabama, 597, 608. By such joint or concurring action the session may be extended until the time appointed by law for the meeting of the next Legislature, so long as fifty working days have not been used in actual session.—*Cushing's Law and Practice of Legislative Assemblies*, page 206, Secs. 509-515.

It is clear, also, that on any day within the period of constitutional limitation, over which there has been no adjournment by the joint or concurring action of both Houses, either House may be in lawful session, and may transact all legislative business properly brought before it,—even though the other House chooses not to be in session, and has in fact adjourned over.—*Cushing's Law and Practice of Legislative Assemblies*, p. 206, Sec. 511; *State, ex rel. Adams v. Hillyer*, 2 Kansas 1, 28.

In such a case, a session by either House,—the other House not sitting,—makes a legislative day, to be deducted from the fifty days allowed by the Constitution. This conclusion seems obvious, and is not impugned, but rather confirmed, by section 58 of the Constitution, *supra*, which permits either House to separately suspend its own labors by its own separate adjournment for a period of three days, without the consent of the other House.

Answering your questions in detail, we advise:

First: Tuesday, July 19th, was the 34th legislative day of the Senate.

Second: Tuesday, July 19th, was the 34th legislative day of the House.

Third: Wednesday, July 13th, on which the Senate was in session, though the House was not, was a legislative day for the Legislature as a whole.

Fourth: There can be no legislative days separately and distinctly for the Senate and for the House. Each day used by either Senate or House, not previously excluded by joint or concurrent action, is a legislative day for both.

Respectfully,

(Signed) Jno. C. Anderson,
Chief Justice.

(Signed) Ormond Somerville,
Lucien D. Gardner,
William H. Thomas,
Joel B. Brown,
Associates Justices

GOVERNOR'S MESSAGE.

On motion of Mr. Tunstall, the Clerk of the House was instructed, by unanimous consent of the House, to make the Journals of the House conform to the Journals of the Senate, as to Legislative Days, in accordance with the opinion of the Supreme Court of Alabama as transmitted to the House of Representatives, by His Excellency, the Governor, and as set out in full in the above and foregoing Message from the Governor.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill and sends same herewith to the House:

By Mr. Williams (with notice and proof) :

S. 365. To authorize the court of county revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County.

With Notice and Proof herewith exhibited, as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the summer 1927 session of the Legislature of Alabama to authorize the payment from the funds of Franklin County of a certain note for \$2,000.00 held by the Bank of Red Bay which funds secured by said was not used in the construction of a public road in Franklin County from Red Bay South to the cotton gin road. The note here sought to be paid is one given by the Citizens of the Red Bay Community to the Bank of Red Bay to borrow \$2,000.00 to spend on this road, same being borrowed with the understanding that the county would reimburse the money expended on this road, but the claim was not filed with the Court of County Revenue, for allowance and payment within the time perscribed by law for the filing of claims against the County.

State of Alabama, }
Franklin County. }

Before me, the undersigned authority personally appeared George L. Cleere, Editor of the Franklin Times, a newspaper publishd at Russellville, Franklin County, Alabama, who on oath says that the foregoing and hereto attached notice of a local law to be introduced in the Legislature of Alabama was published once a week for four consecutive weeks in said Franklin Times, said dates of the publication of said notice being as follows: June 2, 1927, June 9, 1927, June 16, 1927, and June 23, 1927.

Geo. L. Cleere.

Sworn to and subscribed before me, this July 9, 1927.

Carrie Mae Key,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to an appropriate standing committee, as follows:

Local Legislation: S. 365.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House Bills, and returns same herewith to the House:

H. 589. To divide Coosa County, Alabama, into five County board of Education Districts, to define the boundaries of said districts, to provide for the nomination and election of a member of the County Board of Education of Coosa County from each of said districts for said County, to provide for the nomination and election of two members of the County Board of Education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the county board of education of Coosa County, Alabama; to define the duties of the County Board of Education of said County of Coosa and State of Alabama, thus elected; and to provide that women may serve on the County Board of Education of Coosa County, Alabama.

Also:

H. 347. To vacate and abandon a certain described portion of a certain street in the city of Sheffield, county of Colbert, and State of Alabama.

Also:

H. 346. To vacate and abandon certain described portions of certain streets, avenues and alleys, in the city of Sheffield, county of Colbert, and State of Alabama.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted:

H. J. R. 106. Relative to adjournment of the two Houses until Tuesday, July 26, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bill mentioned was delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 10:30 A. M. on July 22, 1927.

H. 359.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the Executive Department on the date and hour

named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 12:00 Noon on July 22, 1927.

H. 306, H. 458, H. 548, H. 549, H. 600, H. 562, H. 585, H. 612, H. 649, H. 303, H. 325, H. 326, H. 331, H. 348, H. 356, H. 553, H. 642, H. 390.

J. H. Stewart,
Clerk.

SPECIAL ORDER.

The House proceeded to the consideration of the Special Order, which was the bill:

H. 368 (with amendment). To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Alabama; to provide for a Commissioner of Conservation and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation; to provide the purposes, powers, duties and authority of the Department of Conservation, and the Commissioner of Conservation; to provide for all officers, agents and employees in, under, or connected with the Department of Conservation, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the State or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take

or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish, and species of sea food, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensation and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this act.

Pending the further consideration of the bill, H. 368, and amendment reported by the standing Committee on Game, Fish and Fisheries, the House, on motion of Mr. Waddell and in accordance with a H. J. R. heretofore adopted, adjourned until Tuesday, July 26th, 1927. at 2:30 o'clock P. M.

THIRTY-SIXTH DAY

House of Representatives.
Montgomery, Alabama.
Tuesday, July 26th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Frank Willis Barnett of Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:

Mr. Sneaker
Adcock
Allen

Anderson
Ashcraft
Baldwin

Bartlett
Beebe
Brunson

Bryant
Burleson
Burns

Byars	Hightower	Miller (Sumter)	Sanders (Conecuh)
Cannon	Hollis	Molette	Sanders (Pike)
Carter	Howard	Monk	Sanderson
Christian	Howell	Morrow	Shepherd
Cockrell	Hubbard	Moxley	Shivers
Cook	Hughes	Mullen	Simpson
Darden	Jeter	Nipper	Smith
Deloney	Johnson	Norman	Starnes
Denson	Jones (Bullock)	Owens	Stephens
Desear	Jones (Clebune)	Parish	Stewart (Bibb)
Edmundson	Jordan (Etowah)	Patterson	Stewart (Calhoun)
Edwards	Jordan (Washington)	Pegues	Thompson
Frey	Kirkpatrick	Pitts	Tompkins
Golson	Langdon	Poole	Tunstall
Goode	Lawler	Powell	Vickers
Goodwyn	Lee	Quillin	Waddell
Graves	Lovelace	Rankin	Wallace
Green	Luck	Reeder	Ward (Geneva)
Grove	McAdory	Ringer	Ward (Tuscaloosa)
Gullatt	Martin	Rivers	Ware
Guy	Matthews	Rogers (Elmore)	Webb
Hampton	Merrill	Rogers (Mobile)	Weldon
Harwood	Miller (Marengo)	St. John	Winn
Hawkins			

—105

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON THE REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 35th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 35th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Mr. Fite for today.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 346. To vacate and abandon certain described portions of certain streets, avenues and alleys, in the city of Sheffield, county of Colbert, and State of Alabama.

Also:

H. 347. To vacate and abandon a certain described portion of a certain street in the city of Sheffield, county of Colbert, and State of Alabama.

Also:

H. 589. To divide Coosa County, Alabama, into five county board of education districts, to define the boundaries of said districts, to provide for the nomination and election of a member of the county board of education of Coosa County from each of said districts for said county, to provide for the nomination and election of two members of the county board of education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the county board of education of Coosa County, Alabama; to define the duties of the county board of education of said county of Coosa and State of Alabama, thus elected; and to provide that women may serve on the county board of education of Coosa County, Alabama.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

COMMUNICATION

Gentlemen of the Legislature:

The Clerk of the House and Senate has been furnished with tickets for each member of the House and Senate to the Boxing Exhibition at Cramton Bowl tonight, and you are cordially invited to attend. Those desiring to attend will oblige us by calling for their tickets as early as possible so that any tickets not desired by members of the Legislature may be placed on sale. The person using a ticket is requested to write his name on the same. These tickets are compliments of the Montgomery Post No. 2 of the American Legion.

Horace C. Wilkinson, Chairman,
Alabama Athletic Commission.

The above communication was read at length.

RESOLUTIONS

By Mr. Hawkins:

H. R. 109. Resolved by the House that

By Mr. Hawkins:

H. 534. To authorize corporations which operate water works to supply a city or town with water, to use public roads in which to lay their pipes, be made a special, paramount and continuing order for the next Legislative day immediately after the report of the Standing Committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jeter:

H. R. 110. Resolved by the House that

By Mr. Jeter:

H. 366. To amend Section 10358 of the Code of Alabama of 1923, be made a special, paramount and continuing order for the next Legislative day immediately after the report of the Standing Committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jeter:

H. R. 111. Resolved by the House that

By Mr. Jeter:

H. 367. To amend Section 1897 of the Code of Alabama of 1923 be made a special, paramount and continuing order for the next legislative day immediately after the report of the standing committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Sumter:

H. J. R. 112. Whereas, it has been brought to the attention of the Legislature of Alabama that the Honorable R. V. Taylor, a distinguished Alabamian, is in the City of Montgomery; and,

Whereas, the Honorable R. V. Taylor is at present one of the Commissioners of the Interstate Commerce Commission of the United States, and

Whereas, this distinguished gentleman is a close student of the national political situation and a scholar of unusual intellectual attainment, and one of the ablest and most entertaining speakers the South has ever produced; and,

Whereas, it is the sense of this body that the Legislators of Alabama should seize this opportunity to hear a great Democrat, who occupies a position of such high trust in Washington.

Now Therefore, Be it Resolved by the House, the Senate concurring, that a cordial invitation be extended to the Honorable R. V. Taylor to address a joint meeting of the House and Senate on next Thursday, July 28th, 1927.

And the Rules were suspended and the Resolution was adopted.

By Mr. Merrill:

H. R. 113. Resolved that Senate Bill 171 "To make an appropriation for the equipment and maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond Virginia" be made a special paramount and continuing order for the 36th legislative day immediately following H. B. 421.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Guy:

H. R. 114. Resolved That H. 281 Creating a State Board of Criminal Identification etc be made a special, paramount and continuing order for the 37th Legislative Day immediately after reports of Standing Committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Sumter:

H. J. R. 115. Be it resolved by the House, the Senate concurring, that in accordance with H. J. R. 112 heretofore adopted, a committee of five be appointed, three from the House to be appointed by the Speaker of the House and two from the Senate to be appointed by the President of the Senate, to notify the Hon. R. V. Taylor of the invitation of the Legislature to address a Joint session of the House and Senate on Thursday, July 28th, 1927.

And the Rules were suspended and the Resolution was adopted.

By Mr. Goodwyn:

H. R. 116. House Resolution. Be it Resolved by the House: That Whereas, House Bill No. 6, page 95 of the Calendar for the 36th Legislative day, concerns the Geological Survey of Alabama, a most important matter,

Therefore be it resolved:

That House Bill No. 6 be made a special order for 11 o'clock of the 37th Legislative Day by the House of Representatives.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. McAdory:

H. R. 117. Resolved by the House that:

By Mr. Norman:

H. 427. To provide that every officer, clerk, board or commission charged with the duty of contracting for, or purchasing, all stationery, supplies, printing and printing supplies, engraving, lithographing and embossing, including record and blank books, tax receipts, warrant books, pay certificates, legal forms and blanks, bound and unbound books, office files and furniture,

to be furnished to, or used by the various counties of the State of Alabama, or the officers thereof, shall be contracted for, or purchased from responsible bidders only; to define a responsible bidder within the meaning of this Act; to prohibit the subletting of contracts for supplies herein set forth to persons, firms or corporations who are not responsible bidders; to provide that all warrants issued for purchases and contracts let in violation of the provisions of this Act shall be null and void; and to repeal all laws or parts of laws in conflict with the provisions of this Act be made a special, paramount and continuing order for the next Legislative day immediately after the report of the Standing Committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. McAdory:

H. R. 118. Resolved by the House that

By Mr. Norman:

H. 428. To define those persons, firms or corporations who shall be regarded or treated as responsible bidders within the meaning of Section 2899 of the Code of Alabama of 1923, and within the meaning of Section 69 of the Constitution of the State of Alabama of 1901 be made a special, paramount and continuing order for the next legislative day immediately after the report of the Standing Committees.

And the Resolution was referred to the Standing Committee on Rules:

By Mr. Frey:

H. R. 119. Resolved by the House that

H. 474. To create an additional Judgeship for the Tenth Judicial Circuit of Alabama; to provide for the appointment and election of an incumbent thereof; and to prescribe the jurisdiction, power, authority, qualifications, duties and compensation of such incumbent.

Be made a special paramount and continuing order immediately after the disposition of the present special orders.

And the resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Long:

H. 898. Authorizing, directing and requiring the State Board of Administration to furnish free text books and writing materials to the pupils of Grades One, Two and Three of the

Public Schools of the State, and to make an appropriation to pay for the same.

Appropriations.

By Mr. Long:

H. 899. To repeal sub-division 2 J of Section 2 of an act entitled "An Act in reference to and to further provide for the general revenue of the State of Alabama," approved July 22, 1927.

Ways and Means.

By Mr. Merrill (With Notice and Proof) :

H. 900. To authorize the conveyance of certain real estate by the State Board of Education of the State of Alabama, to the City of Jacksonville, Alabama.

Local Legislation.

Notice and Proof H. 900.

NOTICE

Is hereby given that application will be made at the present session of the Legislature of Alabama, for the passage by the Legislature of a bill in substance as follows:

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, for the passage by the Legislature of a bill in substance as follows:

A BILL

To be Entitled An Act to authorize the conveyance of certain real estate by the State Board of Education of the State of Alabama, to the City of Jacksonville, Alabama.

Be it enacted by the Legislature of Alabama, as follows:

Section One. The Legislature of Alabama, by the provisions of an act approved December 7, 1900, Act of Alabama 1900-1901, page 131, having ratified and confirmed the donation of the following described real estate, to-wit:

Lots fifty-nine and sixty, the east half of lot sixty-one, and the east half of lot sixty-four, according to the plan of the town of Jacksonville, Alabama, said property being the property conveyed to Calhoun County for a court house lot, and commonly referred to as the Old Court House lot, and later as the Atkins Hall property, said real estate being bounded on the north by Ladiga street, on the east by Church street, on the south by Dreyton street, and on the west by lot of Forney & Rowan, all in the said City of Jacksonville, Calhoun County, Alabama, by the Commissioners' Court of Calhoun County, Alabama, for the use and benefit of the State Normal School at Jacksonville, Alabama, and said Calhoun County, Alabama, having by deed bearing date of January 7, 1904, conveyed said property to the Board of Trustees of said State Normal School, and said City of Jacksonville, Alabama, having turned over to said State Normal School the sum of Ten Thousand Dollars with the understanding and agreement between the Board of Trustees of said State Normal School, and the governing authorities of said City of Jacksonville that said property should be conveyed to said City in consideration of the payment of said sum of Ten Thousand Dollars to said State Normal School, and the powers and authority formerly vested in and exercised by said Board of Trustees of

said State Normal School, having been by the Legislature of Alabama transferred to and vested in and now exercised by the State Board of Education of the State of Alabama, the said State Board of Education of the State of Alabama is hereby authorized, empowered and directed to execute or cause to be executed proper deed conveying the title to said real estate to the said City of Jacksonville, Alabama, without requiring the payment of any further consideration therefor by the said City of Jacksonville, Alabama.

Section Two. That all laws or parts of laws, local, general or special, in conflict with the provisions hereof, be, and the same are hereby repealed.

STATE OF ALABAMA,

Calhoun County.

Before me, Chester A. Whitmore, a Notary Public in and for said county and state, personally appeared Austin Johnson, who being by me first duly sworn, deposes and says that he is Editor and Proprietor of the Piedmont Journal, a weekly newspaper published in said county, and as such, has knowledge of the matters herein stated; that notice, a copy of which is hereto attached, was published in said newspaper, without cost to the State of Alabama, once a week for four consecutive weeks, appearing in the issues of said newspaper bearing dates of June 24th and July 1st, 8th and 15th, 1927.

Austin Johnson.

Sworn to and subscribed before me this 9th day of July, 1927.

Chester A. Whitmore,

Notary Public.

By Mr. Merrill (With Notice and Proof) :

H. 901. To authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyance thereof by the City authorities of said City, the proceeds of such sale to be used for City School Purposes in said City of Jacksonville, Alabama.

Local Legislation.

Notice and Proof H. 901.

NOTICE

Is hereby given that application will be made at the present session of the Legislature of Alabama, for the passage by the Legislature of a bill in substance as follows:

A BILL

To be entitled an Act to authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyances thereof by the City authorities of said City, the proceeds of such sale to be used for city school purposes in said city of Jacksonville, Alabama.

Be it Enacted by the Legislature of Alabama as follows:

Section One. The following described real estate to-wit:

Lots number Eighty Three (83) Eighty Four (84), Eighty Five (85), Eighty Six (86), according to the map of the old plan of the City of Jacksonville, Alabama, in the northeast quarter of Section Fourteen (14), Township Fourteen (14) Range Eight (8); the same being the lots formerly occupied by the Old Iron Queen Hotel, the same being later known as The Allegheny Hotel, situated in Calhoun County, Alabama, having

heretofore been conveyed by the First National Bank of Jacksonville, Alabama, to the City of Jacksonville, Alabama, and said property being no longer needed for city school purposes in said city, and the funds from the sale of said property when and if made will be needed for city school purposes in said city, the city authorities of the said city of Jacksonville, are hereby authorized, empowered and directed to sell and convey said property for such sum and on such terms as to them may appear to be reasonable, adequate and proper, and to the best interest of the city schools in said city of Jacksonville, Alabama; provided, however, that upon the sale and conveyance of said property and the collection of the proceeds of such sale such proceeds of such sale shall be used for city school purposes in said city of Jacksonville, Alabama, and for not other purpose.

Section Two. That all laws or parts of laws, local, general or special, in conflict with the provisions hereof be, and the same are hereby repealed.

STATE OF ALABAMA,

Calhoun County.

Before me, Chester A. Whitmore, a notary public in and for said county and state, personally appeared Austin Johnson, who being by me first duly sworn, deposes and says that he is Editor and Proprietor of the Piedmont Journal, a weekly newspaper published in said county, and as such, has knowledge of the matters herein stated; that notice, a copy of which is hereto attached, was published in said newspaper, without cost to the State of Alabama, once a week for four consecutive weeks, appearing in the issues of said newspaper bearing dates of June 24th and July 1st, 8th and 15th, 1927.

Austin Johnson.

Sworn to and subscribed before me this 19th day of July, 1927.

Chester A. Whitmore.

(Seal)

Notary Public.

By Mr. Merrill (With Notice and Proof) :

H. 902. To ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis Club of Anniston, Alabama, a copy of which contract is hereto attached and marked 'Exhibit A', and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis Club.

Local Legislation.

Notice and Proof H. 902.

LEGAL NOTICE

Notice is hereby given that the following bill will be introduced in the present legislature of Alabama:

A BILL

To be entitled an Act to ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and

Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis club of Anniston, Alabama, a copy of which contract is hereto attached and marked "Exhibit A," and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis club.

Section 1. Be it enacted by the Legislature of Alabama that the contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter and Mrs. Hugh D. Merrill, and Mrs. A. H. Shepperd as Trustees for the Axis club, an unincorporated association of the City of Anniston, Alabama, a copy of which contract is hereto attached and marked "Exhibit A," and the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, be, and the same are hereby ratified and confirmed, and the City of Anniston, Alabama, is hereby authorized and empowered to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis club.

EXHIBIT "A"

STATE OF ALABAMA,

Calhoun County.

On Indenture executed on the 25th day of August, 1925, by the City of Anniston, a municipal corporation of Alabama, (hereinafter called the City), party of the first part, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill, and Mrs. A. H. Shepperd, as Trustees for the Axis Club (hereinafter called the Trustees), party of the second part.

Whereas said Axis club is an unincorporated association of resident citizens of the City of Anniston engaged in civic work and improvement, and

Whereas the City is seized and possessed of a lot or tract of land bounded on the north by Fifteenth street, on the east by Gurnee street, on the south by Fourteenth street, and on the west by Moore street, heretofore acquired for use as a public park on which is situated a brick building; and

Whereas said building is in a dilapidated condition and can not be used for park purposes without the expenditure of considerable sum of money and would otherwise have to be removed, and the City is without funds wherewith to improve and repair said building;

Now Therefore for and in consideration of the premises and of the covenants hereinafter set forth and to be performed by the Trustees of the City does hereby rent, lease and demise unto the Trustees and their successors in trust the aforementioned building for a term of Ninety-Nine (99) years, beginning the first day of September 1925 and ending the thirty-first day of August, 2024, for the use by said Axis Club for civic purposes and not otherwise however except as hereinafter provided.

In consideration whereof the Trustees for themselves and their successors in trust do hereby covenant and agree:

(1) That within the period of one year from the execution hereof they will expend the sum of at least Five Thousand Dollars (\$5,000.00) in improving, remodeling and beautifying said building under the supervision and direction of an architect approved by the mayor of the City of Anniston who shall upon completion of said work furnish a certificate to the city as to the amount expended hereunder.

(2) That they will not suffer or permit said building to be used for any purpose other than a clubhouse for the Axis club, and other civic pur-

poses, nor sublet the same nor any part thereof, nor assign or attempt to assign this lease; provided however, that so much of said building as may not be needed by said club may be rented by the Trustees, all revenue from which must be used for the care, upkeep, repair and maintenance of said building.

(3) That they will equip and maintain a certain part of said building not less than four hundred square feet in area as a public exhibition room for the exhibit of industrial manufactured goods, wares, merchandise and product, manufactured and produced in the City of Aniston, or vicinity, which said room or rooms shall be open without charge to the public during reasonable hours continuously for the period of this lease.

(4) That upon default in the performance of any of the foregoing covenants such default continuing for ninety days after notice thereof in writing given by the City to the Trustees the City may declare the contract forfeited.

It is further agreed that at the expiration of the first twenty years from the execution of this agreement or at any subsequent five year periods and upon six months notice in writing by the City to the Trustees or their successors in trust of its intention to recapture the City may upon tender or payment to the Trustees, or their successors in trust, of such sum of money as the value of the building with additions at the time of recapture exceeds the present value of said building, to-wit, the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) retake and repossess the said building and that thereupon this agreement shall for all purposes cease and determine.

Further that this agreement shall become effective only upon approval thereof by the Park Commission of the City of Anniston.

In Witness Whereof the City has caused this instrument to be executed in its name and behalf by its mayor thereunto duly authorized by a resolution of the City Council adopted the 24th day of August, 1925, and the Trustees have hereunto set their hands and seals pursuant to a resolution adopted at a meeting of the Axis club held this the day and date first above written.

City of Anniston,
By Sidney J. Reaves, Mayor.
(Attest):
W. O. Ward,
W. T. Morton, Jr.
Martha C. Merrill (LS)
L. N. Sheffield (L. S.)
Jessie J. Ledbetter (L.S.)
Trustees, etc.

Approved:
J. L. Wikle,
Jno. F. Williams,
Members of Park Commission.
Mrs. Sam P. Kennedy,
Chas. S. Leyden,
Carrie McClure Knox,
L. N. Claxton.

STATE OF ALABAMA,
Calhoun County.

I, P. A. Quinn, a Notary Public in and for said County and State, do hereby certify that S. J. Reaves, whose name as Mayor of the City of Aniston, Alabama, a Municipal Corporation, is signed to the foregoing conveyance, and who is known to me, acknowledge before me on this day that, being informed of the contents of the conveyance, he, as such officer

and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 2nd day of September, 1925.

(Seal)

P. A. Quinn,
Notary Public.

STATE OF ALABAMA,

Calhoun County.

Before me, Clara B. Wright, a Notary Public in and for said County and State, personally appeared Harry M. Ayers, who being by me first duly sworn, deposes and says that he is publisher of the Anniston Star, a newspaper published in said County and State, and as such has knowledge of the matters herein stated; that notice, a copy of which is hereto attached, was published in said newspaper, without cost to the State of Alabama, once a week for four consecutive weeks, appearing in the issues of said newspaper bearing dates of June 21st, June 28th, July 5th and July 12th, 1927.

Harry M. Ayers.

Sworn to and subscribed before me this 25, day of July, 1927.

Clara B. Wright,
Notary Public.

By Mr. Merrill (With Notice and Proof) :

H. 903. To amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said court of County Commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon the said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of County Commissioners, Board of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors", approved September 17, 1923.

Local Legislation.

Notice and Proof H. 903.

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at the present session thereof, as follows:

A BILL

To be entitled an Act to amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said County, and abolishing said court of County Commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said Board of

Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon the said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of county Commissioners, Board of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17, 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 6 of an act entitled an act "To create and establish a Board of Revenue in and for Calhoun county, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said Court of County Commissioners of said County; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of county commissioners, boards of revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17th, 1923, be and the same is hereby amended to read as follows:

Section 6. The several members of said Board of Revenue shall receive as compensation for their services as such members the sum of Seven Hundred and Fifty Dollars per annum, such compensation being payable out of the county treasury in twelve monthly installments of Sixty Two and Fifty-One-hundredths Dollars (\$62.50) each, upon the warrant of the Chairman of said Board of Revenue, to be issued at the first meeting of said Board following the first day of the month.

That each member of said Board of Revenue shall assist the Road supervisor in the supervision of the public roads of his district and in the employment of foreman and laborers required in such district, and in making such other contracts as the Road Supervisor may be authorized or required to execute; that for such services, and for all services rendered as members of Board of Review of Calhoun County, Alabama, each member of the Board shall receive as ex officio fees the sum of Five Hundred Dollars (\$500.00) per annum, payable in equal quarterly installments, out of the road funds of the county, at the end of each quarter, upon the warrant of the Chairman of said Board; providing, however, that all acts of members of the Board of Revenue in their respective districts, and contracts made by them, shall be subject to the approval and ratification of the entire Board of Revenue. No other compensation shall be paid the members of the Board of Revenue for services as members of such Board of Revenue or Board of Review.

That each member of the Board, before entering on the duties of his office under this act, must give bond with a bonding company, qualified to do business in the State of Alabama, as surety, the Chairman to furnish bond in the sum of five thousand dollars, and each associate member to furnish bond in the sums of two thousand dollars and five hundred dollars (\$2,500.00), conditioned as provided in Section 2595 of the Code of Alabama of 1923, which bond must be approved by the Judge of Probate, and recorded in his office, the premium of each of such bonds to be paid by the principals therein.

Section 2. Be it Further Enacted that all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

STATE OF ALABAMA,

Calhoun County.

Before me, Chester A. Whitmore, a Notary Public in and for said County and State, personally appeared Austin Johnson, who being by me first duly sworn, deposes and says that he is Editor and Proprietor of the Piedmont Journal, a weekly newspaper published in said county, and as such, has knowledge of the matters herein stated; that notice, a copy of which is hereto attached, was published in said newspaper, without cost to the State of Alabama, once a week for four consecutive weeks, appearing in the issues of said newspaper bearing date of July 1st, July 8th, July 15th, and July 22nd, 1927.

Austin Johnson,

Sworn to and subscribed before me this 22nd day of July, 1927.

Chester A. Whitmore,
Notary Public.

By Mr. Merrill (With Notice and Proof) :

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment.

Local Legislation.

Notice and Proof H. 904.

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at the present session thereof, as follows:

A BILL

To be entitled an act to establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, and to fix his salary and to provide for the method of his election or appointment.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby created in and for the County of Calhoun the office of Road Supervisor, who shall be elected, or appointed by the Board of Revenue of said county at the first meeting of said Board of Revenue held after the approval of this act. He may be elected for a term of one year, beginning on the first day of October, 1927, and a successor to said supervisor shall be elected or appointed by said Board of Revenue each year thereafter. He shall be paid a salary out of the County Treasury of Calhoun County, Alabama, to be fixed by the Board of Revenue of said County of not less than eighteen hundred dollars per annum, nor more than three thousand dollars per annum, payable monthly by a warrant drawn by the Chairman of said Board of Revenue. Said road supervisor may be removed from office at any time at the pleasure of the Board, upon a majority vote of the entire Board in favor of his removal.

Section 2. Said road supervisor shall be a competent civil engineer or practical road builder, and shall devote all of his time to the discharge of his official duties.

Section 3. Said road supervisor, under the direction of the Board of Revenue, shall have the general supervision and care of maintaining, repairing and improving the public roads of said county and the building of new roads when such new roads are established by the Board of Revenue

of said County. He shall recommend to the Board of Revenue the employment of all agents overseers and laborers required for the work on the public roads of said county, and the compensation of such employees. He shall recommend to the Board of Revenue the purchase of all necessary road machinery, material, supplies and equipment necessary and desirable in and about the work on said public roads and shall do and perform, under the direction of the Board of Revenue of said County, all the duties in connection with the maintenance and improvement of public roads required by the general laws of this State of Boards of Revenue or Courts of County Commissioners, except the establishment of new roads or the changing of roads. Provided, however, that the Board of Revenue shall have the authority to employ agents, overseers and laborers or to purchase material, equipment, or supplies in disregard of or without the recommendation of the Road Supervisor.

Section 4. The Board of Revenue of said County shall require the said road supervisor to execute a bond, with surety to be approved by the Board of Revenue payable to Calhoun County, in a penalty not to exceed five thousand dollars per annum, for the faithful performance of his duties as supervisor and for the faithful accounting for all moneys or property of said county which may come into his hands as such supervisor.

Section 5. If at any time a vacancy shall occur in the office of road supervisor of said county by expiration of the term, or otherwise, and the said Board of Revenue should fail for thirty days after said vacancy occurs to fill the same, the office may be filled by appointment of the Governor, and the appointment shall hold for the unexpired term and until a successor shall have been elected or appointed as herein provided.

Section 6. The Board of Revenue of said County, shall, in addition to the salary fixed for said road supervisor, provide reasonable and necessary transportation to enable the said road supervisor to discharge the duties of his office.

Section 7. Be it further enacted that all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

STATE OF ALABAMA,

Calhoun County.

Before me, Chester A. Whitmore, a Notary Public in and for said County and State, personally appeared Austin Johnson, who being by me first duly sworn deposes and says that he is Editor and Proprietor of the Piedmont Journal, a weekly newspaper published in said county, and as such, has knowledge of the matters herein stated; that notice, a copy of which is hereto attached, was published in said newspaper, without cost to the State of Alabama, once a week for four consecutive weeks, appearing in the issues of said newspaper bearing date of July 1st, July 8th, July 15th and July 22nd, 1927.

Austin Johnson,

Sworn to and subscribed before me this 22nd day of July, 1927.

Chester A. Whitmore,
Notary Public.

(Seal)

By Mr. Jordan of Etowah (With Notice and Proof) :

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate Members and to abolish the Commissioners Court of Etowah County.

Local Legislation.

Notice and Proof H. 905.

NOTICE

Notice is hereby given of the intention to introduce and pass in the present session of the Legislature of Alabama a local law in substance as follows, to wit:

"A bill to be entitled an act to establish a board of revenue for Etowah county; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its president and associate members and to abolish the commissioners court of Etowah county."

Affidavit is hereby made that the attached notice was run in the Gadsden Times for four consecutive weeks on July 2, 9, 16 and 23, 1927.

(Signed) B. H. Moore,
Publisher.

STATE OF ALABAMA,

County of Etowah.

Sworn to and subscribed before me this the 23rd day of July, 1927.

Frank L. Cathey,
Notary Public.

By Mr. Pegues:

H. 906. A Bill to be entitled an Act to propose an amendment to the Constitution of Alabama for the purpose of permanently levying the special county tax of ten cents on each one hundred dollars worth of taxable property in a county for the support of public schools as authorized by Section 269 of the Constitution, and a special county tax of thirty cents on each one hundred dollars worth of taxable property in a county for public school purposes, and a special district tax of thirty cents on each one hundred dollars worth of taxable property in such district for public school purposes as authorized by Article XIX of the Constitution, commonly known as the "Special School Tax Amendment" to the Constitution, which was proposed by the Legislature by an act approved March 17, 1915; and to provide for the submission of such amendment to the qualified electors of the State.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXII. The special tax of ten cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy and collect for public school purposes by virtue of the provisions of Section 269 of the Constitution of Alabama, and the special county tax of thirty cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy for public school purposes, and the special district tax of thirty cents on each one hundred dollars worth of

taxable property in such district, which the several school districts of any county in the State have the power to levy for school purposes in said district, which last two mentioned levies are authorized by virtue of the provisions of Article XIX of the Constitution of Alabama, commonly known as the "Special School Tax Amendment" to the Constitution, and which was proposed by the Legislature of Alabama by an act approved March 17, 1915, are permanently levied in and for each and every county in the State, and in and for each and every school district of every county in the State. The funds derived from the levy hereby made shall be subect to the same uses, conditions and obligations as if the levy had been made as provided by said Section 269 and said Article XIX of the Constitution of Alabama. Where any of the taxes authorized by said Section 269 and said Article XIX have been levied under the provisions of said section and article the levy hereby made shall be in lieu of such existing levies, and the funds derived therefrom shall be subject to all the uses, conditions and obligations as if said funds were derived by virtue of said existing levies.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXII of the Constitution of Alabama?"

Article XXII. The special tax of ten cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy and collect for public school purposes by virtue of the provisions of Section 269 of the Constitution of Alabama, and the special county tax of thirty cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy for public school purposes, and the special district tax of thirty cents on each one hundred dollars worth of taxable property in such district, which the several school districts of any county in the State have the power to levy for school purposes in said district, which last two mentioned levies are authorized by virtue of the provisions of Article XIX of the Constitution of Alabama, commonly known as the "Special School Tax Amendment" to the Constitution, and which was proposed by the Legislature of Alabama by an act approved March 17, 1915, are permanently levied in and for each and every county

in the State, and in and for each and every school district of every county in the State. The funds derived from the levy hereby made shall be subject to the same uses, conditions and obligations as if the levy had been made as provided by said Section 269 and said Article XIX of the Constitution of Alabama. Where any of the taxes authorized by said Section 269 and said Article XIX have been levied under the provisions of said section and article the levy hereby made shall be in lieu of such existing levies, and the funds derived therefrom shall be subject to all the uses, conditions and obligations as if said funds were derived by virtue of said existing levies.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this state, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read one time, at length, and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. Morrow:

H. 907. To license and to regulate the business of making loans in sums of one hundred dollars or less, secured or unsecured in all counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation thereof; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

Local Legislation.

By Mr. Jeter:

H. 908. To further regulate inferior courts in cities having more than one hundred thousand population according to the

last or any subsequent federal census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation, and to provide for and fix the compensation of the deputy solicitor of such court, and to provide that this act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

Judiciary.

By Mr. Simpson:

H. 909. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the State, or to any Township thereof, or to the inhabitants of any such Township.

Judiciary.

By Mr. Simpson:

H. 910. To regulate the allowance and payment of claims against the several counties of this state.

Judiciary.

By Mr. Frey (By Request):

H. 911. To amend sections 5 and 6 of an Act entitled "An Act to further prescribe the duties of County Treasurers in Counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers, for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31, 1921.

Local Legislation.

By Mr. Frey (With Notice and Proof):

H. 912. To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

Local Legislation.

Notice and Proof 912.

Public notice is hereby given that a bill will be introduced for passage in the present session of the Legislature of Alabama in substance as follows:

AN ACT

To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That the charter of the Town of Brighton in Jefferson County, Alabama, whether created by authority of special statute or under

the general law, be and the same is hereby vacated and annulled and that the corporation of the Town of Brighton, incorporated, known and styled as the Town of Brighton, be and the same is hereby dissolved and all local or special laws in conflict with this act be and the same are hereby repealed.

Section 2. That this act shall not go into effect until the 30th day of Sept. 1927; and in the event that that certain House Bill entitled "An act to alter and rearrange the boundary lines of the City of Bessemer so as to include within the corporate limits of said City the territory now included within the said Town of Brighton, and other territory in Jefferson County, Alabama," shall not be passed by the Legislature at its present session, or shall be, by a court of last resort having jurisdiction declared and adjudged null and void, invalid or unconstitutional, then in that event this act shall not be effective.

P. M. Mathews.

STATE OF ALABAMA,
Jefferson County.

Before me, P. M. Mathews, a Notary Public in and for said County, in said State, personally appeared Howe Price, the Editor of the Bessemer Advertiser, who being by me duly sworn deposes and says that the foregoing attached notice was published in the Bessemer Advertiser, a weekly newspaper of general circulation, published at Bessemer, Jefferson County, Alabama, for four consecutive weeks, that is, on the 15th day of June, 1927; the 23rd day of June, 1927; the 30th day of June, 1927; and the 7th day of July, 1927; and that he is the editor of said newspaper, and that said notice was published without cost to the State.

Howe Price.

Subscribed and sworn to before me, this 18th day of July, 1927.

P. M. Mathews,
Notary Public.

By Mr. Frey:

H. 913. To provide for the appointment of a Chief Clerk to the Deputy Clerk of the Criminal Division of the Circuit Court in all counties of the State of Alabama having a population of more than 200,000 according to the last or any subsequent federal census and to fix the compensation of said Chief Clerk of said Deputy Circuit Clerk of said counties.

Local Legislation.

By Mr. Frey (With Notice and Proof):

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City, the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

Local Legislation.

Notice and Proof H. 914.

Public notice is hereby given that a bill will be introduced for passage in the present session of the Legislature of Alabama in substance as follows:

AN ACT

To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the terri-

tory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama as follows:

Section 1. That the boundaries of the City of Bessemer, in the County of Jefferson and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all that territory lying within the County of Jefferson included within the boundaries herein set out, to-wit:

Start at the SE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 19, Range 4 West, thence North along the boundary of the NW $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 2, Township 19, Range 4 West to the Northern boundary of said Section, thence in a Westerly direction along said boundary 1,200 feet to the West side of Right of Way of the A. G. S. Railroad, thence at an angle of 60 degrees—00' to the left 2,400 feet to the North property line of 32nd Street, thence at an angle of 90 degrees—00' to the right 3,720 feet to the Northern boundary of Section 3, Township 19, Range 4 West, thence at an angle of 150 degrees—00' to the right 140 feet, thence 90 degrees 40' to the left 1,645 feet to Valley Creek, thence 988.00 feet to the Southeast corner of the S.W. $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 34, Township 18, Range 4 West; thence 90 degrees 25' to the right 690 feet along the quarter Section line to Valley Creek, thence 79 degrees 03' to the left 332 feet; thence 53 degrees 00' to the right 326 feet; thence 68 degrees 00' to the right 371 feet; thence 81 degrees 25' to the left 140.3 feet; thence 68 degrees 40' to the left 754.8 feet; thence 34 degrees 25' to the right 125.7 feet; thence 25 degrees 00' to the left 107.1 feet; thence 23 degrees 00' to the left 388 feet; thence 69 degrees 53' to the right 540 feet; thence 8 degrees 53' to the left 379.6 feet; thence 31 degrees 30' to the right 425.3 feet; thence 36 degrees 27' to the right 227 feet; thence 98 degrees 10' to the right 531.4 feet to the N. E. corner of the N.E. $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Township 18, Range 4 West, thence in a Westernly direction along the Section line 2,670 feet to the N.W. corner of Section 34, Township 18, Range 4 West, thence 88 degrees 15' to the right along the West boundary of said Section 1091 feet to Valley Creek and the old Bessemer boundary line; thence south along said boundary 900 ft., thence at an angle of 135 degrees 00' to the right 176 feet, thence 90 degrees 00' to the left 920 feet to the West property line of 12th Avenue, thence 56 degrees 41' to the left 1,372.7 feet, thence at an angle of 50 degrees 00' to the left 737 feet, thence at an angle of 5 degrees 8'—30" to the left 400 feet, thence at an angle of 5 degrees 8'—30" to the left 400 feet, thence at an angle of 90 degrees—00' to the left 1,215 feet to the West property line of 12th Avenue, and the South property line of 26th Street, thence at an angle of 90 degrees—00' to the right 2,960 feet to the North property line of 20th Street on the West property line of 12th Avenue, thence at an angle of 90 degrees—00' to the right 1,360 feet, thence 90 degrees 00' to the right 127.5 feet to the North property line of North 20th Street, thence at an angle of 90 degrees—00' to the left 1,523.5 feet, thence at an angle of 90 degrees—00' to the left 483.4 feet; thence at an angle of 90 degrees 00' to the right 396 feet; thence 90 degrees 00' to the left 142 feet to a point on the North property line of 19th Street, and the East property line of 19th Avenue, thence 90 degrees 00' to the right 975 feet, thence at an angle of 90 degrees 00' to the right 912 feet, thence 90 degrees 00' to the left 480 feet, thence at an angle of 90 degrees—00' to the right 1,100 feet to Valley Creek, thence 151 degrees 18' to the left along said creek 374 feet, thence at an angle of 2 degrees 57' to the right 654.8 feet, thence at an angle of 42 degrees 16' to the right 211.7 feet, thence at an angle of 38 degrees 05' to the right 337 feet, thence at an angle of 41 degrees 40' to the right 395.8 feet, thence at an angle of 105 degrees 41' to the left 395.6 feet, thence at an angle of 49 degrees 35' to the left 784 feet, thence at an angle of 84 degrees 46' to the right 357.9

feet, thence at an angle of 46 degrees 26' to the left 298.9 feet, thence at an angle of 33 degrees 22' to the left 245.5 feet, thence at an angle of 39 degrees 18' to the left 559.2 feet, thence at an angle of 84 degrees 29' to the left 673 feet, thence at an angle of 94 degrees 29' to the right 490.2 feet, thence at an angle of 7 degrees 09' to the right 252 feet, thence at an angle of 31 degrees 42' to the left 340.6 feet, thence at an angle of 23 degrees 36' to the right 489 feet, thence at an angle of 33 degrees 46' to the right 232.7 feet, thence at an angle of 64 degrees 00' to the right 400.7 feet, thence at an angle of 22 degrees 57' to the right 481.3 feet, thence at an angle of 41 degrees 35' to the left 217.9 feet, thence at an angle of 42 degrees 35' to the left 101.4 feet, thence at an angle of 24 degrees 10' to the left 387.7 feet, thence at an angle of 35 degrees 45' to the right 1,206.1 feet, thence at an angle of 67 degrees 30' to the left 341.1 feet, thence at an angle of 44 degrees 21' to the right 421.6 feet, thence at an angle of 01 degrees 12' to the left 1,387 feet, thence at an angle of 51 degrees 02, to the left 517.3 feet, thence at an angle of 92 degrees 45' to the left 426.4 feet, thence at an angle of 88 degrees 20' to the right 474 feet, thence at an angle of 78 degrees 12' to the right 424.7 feet, thence at an angle of 65 degrees 23' to the left 468 feet, thence at an angle of 114 degrees 25' to the right 700 feet, thence at an angle of 77 degrees 57' to the left 243 feet, thence at an angle of 79 degrees 24' to the left 729 feet, thence at an angle of 00 degrees 48' to the left 439.8 feet, to an iron hub in the center of Section 8, Township 19, Range 4 West, thence at an angle of 86 degrees 14' to the right in a Southerly direction along the Western boundary of the East half of Section 8, Township 19, Range 4 West, 2668.5 feet to a point on the North boundary of Section 17, Township 19, Range 4 West, thence in a Southerly direction along the Western boundary of the N.E. $\frac{1}{4}$ of Section 17, Township 19, Range 4 West 2,645.8 feet to the S.W. corner of the N.E. $\frac{1}{4}$ of Section 17, Township 19, Range 4 West, thence at an angle of 89 degrees 14' to the left 2,691.7 feet to a point on the old boundary line of the City of Bessemer, Alabama, thence in a Southerly direction along said boundary 1,329 feet to the S. W. corner of Section 16, Township 19, Range 4 West, thence in an Easterly direction along the South boundary of Section 16, Township 19, Range 4 West 5,358 feet to the S.E. corner of Section 16, thence in a Northerly direction along the East boundary of Section 16, 5,330 feet to the N.E. corner of Section 16, Township 19, Range 4 West, thence in an Easterly direction along the South boundary of Section 10, 1,160 feet to the South right-of-way line of the A. B. & C. Railroad, thence in an Easterly direction along said right-of-way 1,440 feet, thence at an angle of 90 degrees 00' to the left 1,000 feet to the intersection of the Eastern property line of Holbrook Avenue, and the South boundary line of Section 10, Township 19, Range 4, West, thence at an angle of 36 degrees 00' to the right 453.8 feet to the West right-of-way line of the Birmingham Mineral Railroad, thence at an angle of 54 degrees 09' to the left along said right of way 435.5 feet, thence at an angle of 10 degrees 51' to the left 1,954 feet, thence at an angle of 12 degrees 11' to the right 73.4 feet, thence at an angle of 93 degrees 15' to the left 150.2 feet to the Eastern property line of Holbrook Avenue, thence at an angle of 90 degrees 00, to the right 4,280 feet to a point on the East boundary of the Western half of the S.W. $\frac{1}{4}$ of Section 2, Township 19, Range 4 West, thence in a Northerly direction along said boundary 2,400 feet to the point of beginning.

Section 2. That the boundaries set out in Section 1 of this act be and the same are hereby established as the corporate limits of the said City of Bessemer and the territory now included within the Town of Brighton shall hereafter be and constitute a part of the City of Besemer, Alabama.

Section 3. That this act shall not go into effect until the 30th day of September 1927.

P. M. Mathews.

STATE OF ALABAMA,

Jefferson County.

Before me, P. M. Mathews, a Notary Public in and for said County, in said State, personally appeared Howe Price, the Editor of the Bessemer Advertiser, who being by me duly sworn deposes and says that the foregoing attached notice was published in the Bessemer Advertiser, a weekly newspaper of general circulation, published at Bessemer, Jefferson County, Alabama, for four consecutive weeks, that is, on the 15th day of June, 1927; the 23rd day of June, 1927; the 30th day of June, 1927; and the 7th day of July, 1927; and that he is the editor of said newspaper, and that said notice was published without cost to the state.

Subscribed and sworn to before me this the 18th day of July, 1927.
 Howe Price,
 P. M. Mathews,
 Notary Public.

By Mr. Jordan of Washington (With Notice and Proof):

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

Local Legislation.

Notice and Proof H. 915.

A BILL

To be entitled an Act to preserve the commissioners districts of Washington county as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

Be it enacted by the Legislature:

Section 2. That Washington county is hereby divided into four commissioner's districts as now promulgated and fixed by the minutes of the court of county commissioners of said county and known as district number 1, 2, 3, and 4, and shall remain as now fixed until changed by the court of county commissioners of Washington county at a regular meeting by an order in writing spread upon the minutes of said court.

Section 2. That the commissioners from each of said districts in addition to their duties as a court of county commissioners shall be and constitute a board of road supervisors and for their services as road supervisors they shall receive in addition to the per diem and mileage provided by law for county commissioners, the additional sum of \$50.00 (Fifty Dollars) per month payable out of the county treasury of Washington county, by warrant drawn by the Probate Judge on the order of the court of county commissioners or road supervisors.

Section 3. That in addition to their duties as a court of county commissioners the said commissioners shall at the next meeting of the commissioners' court elect a road superintendent, which said superintendent

may be elected from among the members of the court of county commissioners or may be a person qualified to fill the duties of road superintendent who is not a member of the board of county commissioners.

Section 4. That the court of county commissioners or road supervisors shall fix the salary of the superintendent of roads at not less than \$100.00 (One Hundred Dollars) per month and not more than \$175.00 (One Hundred and Seventy-five Dollars) per month as in their discretion they may determine, and said superintendent when so elected shall hold office for one year and until his successor is elected and qualified but he may be discharged or removed from office at any time by said court of county commissioners or road supervisors, for cause, by order entered upon minutes of court at regular meeting. That the salary above prescribed when fixed by court of county commissioners for road superintendent shall be payable monthly out of the county treasury of Washington county, by warrant drawn by the Probate Judge on the order of the court of county commissioners or road supervisors. Provided, however, if a member of the court of county commissioners or road supervisors be elected road superintendent, he shall receive the salary fixed for the road superintendent and not the salary as road supervisor.

Section 5. That before entering upon discharge of his duties the said road superintendent shall make and enter into a bond in the sum of \$5,000.00 (Five Thousand Dollars) conditioned upon the faithful performance of his duties as road superintendent and to properly account for all money or property coming into his hands belonging to Washington county. This bond shall be approved by the court of county commissioners or road supervisors and filed in the office of the Judge of Probate and said bond must be made by a Surety Company duly authorized to execute such bonds in the State of Alabama and the premium on said bond shall be paid out of the general funds of the said county by a warrant drawn by the Probate Judge on the order of the court of county commissioners or road supervisors.

Section 6. Immediately after filing bond and taking oath of office said road superintendent shall take complete supervision and control of all county public roads and bridges and all road equipment, tools, road machinery and live stock belonging to the county or any road district of the county and it shall be his duty from time to time to report to the court of county commissioners the necessary new equipment for the proper maintenance and construction of roads and bridges in said county and it shall be the duty of said court of county commissioners or road supervisors to order the purchase of said equipment as in their judgment is necessary. The said road superintendent shall have power and authority without interference, to work and control the working of public roads of said county, the construction of new roads over routes and right of ways secured and approved by the court of county commissioners or road supervisors and to maintain and build bridges and culverts and to employ labor and to use county convicts upon the roads unless the court of county commissioners shall make an order turning said county convicts over to the State. He may also purchase material and let contracts for the building or repairing of bridges, culverts and roads provided the cost of material and labor does not exceed the sum of \$100.00 (One Hundred Dollars).

Section 7. At the regular meeting of the court of county commissioners or road supervisors the superintendent shall report all work done, contracts let, labor employed and the cost thereto said court of county commissioners or road supervisors, showing the items purchased, the labor and days employed and such other things as will properly advise the court of county commissioners or road supervisors of his acts and doings in the premises.

Section 8. The court of county commissioners or road supervisors shall enter an order directing the monthly payment of all bills and expenses for road work and the same shall be paid when properly approved by the road superintendent, by warrant drawn by the Judge of Probate and payable out of the road funds of the county.

Section 9. That in addition to the regular terms prescribed for commissioner's court the commissioners court or board of road supervisors of Washington county shall hold a regular meeting on the second Monday of each month for the purpose of auditing and paying the bills and expenses for work upon public roads and such other purposes as may be deemed necessary for proper transaction of the road business of Washington county and may hold such special terms from time to time as now or may hereafter be provided by general laws of the State.

Section 10. That nothing in this act shall be construed as in any way affecting or repealing the laws now in force requiring all persons subject to road duty to work on the public roads for not more than ten days in each year. The road superintendent shall have power and authority to warn all persons subject to road duty to work the roads as now provided by law and any person who has been properly warned by the road superintendent who fails or refuses to work on public roads shall be guilty of a misdemeanor and upon conviction shall be punished as now provided by law.

Section 11. That this act is intended to operate as a supplemental act, and shall operate in addition to all general and special laws that may exist in the State of Alabama which are applicable to Washington county, and are not in conflict with this act.

Section 12. All laws and parts of law in conflict with this act be and the same are hereby repealed. This act shall go into effect immediately upon passage and approval.

STATE OF ALABAMA,
Washington County.

I, Joe M. Pelham, Jr., Publisher of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the Bill to be Entitled an Act to preserve the Commissioners Districts of Washington County, Alabama, as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issued dated June 16, 1927, and ending with the issue dated July 7, 1927. I further certify that I have the right and authority to make this affidavit.

Joe M. Pelham, Jr.

Sworn to and subscribed before me on this, the 16th day of July, 1927.

Helen Smith,
Notary Public.

By Mr. Jordan of Washington (With Notice and Proof) ::

H. 916. To repeal an act entitled an act to better improve the public roads of Washington County, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington county, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a

penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

Local Legislation.

Notice and Proof H. 916.

A BILL

To be entitled an act to repeal an act entitled an act to better improve the public roads of Washington county, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington county, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

Be it enacted by the Legislature:

That the act entitled an act to better improve the public roads of Washington county, Alabama, and to make better provision for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington county, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said law. Approved March 31, 1911, as amended by an act entitled an act to amend section 7 of the above act, approved September 14, 1923, be the same and is hereby repealed.

STATE OF ALABAMA,

Washington County.

I, Joe M. Pelham, Jr., Publisher of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the Bill to be entitled an Act to repeal an act entitled an act to improve the public roads of Washington County, Alabama, etc., as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated June 16, 1927, and ending with the issue dated July 7, 1927. I further certify that I have the right and authority to make this affidavit.

Joe M. Pelham, Jr.

Sworn to and subscribed before me on this, the 16th day of July, 1927.

Helen Smith,
Notary Public.

By Mr. Tunstall:

H. 917. To fix the salaries and compensation of certain State officials to provide for the appointment of assistants and employees of the State and of certain State officers, departments, bureaus and commissions and to fix their salaries and compensation effective on the first day of October, 1927.

Appropriations.

By Mr. Reeder (By request) :

H. 918. To establish in the Department of Education under the control of the State Board of Education, a Division of Music; to provide for the appointment of a supervisor; to prescribe the qualifications to fix the duties, and compensation.

Appropriations.

By Mr. Miller of Marengo:

H. 919. To encourage the better production of agricultural products; raising better livestock and poultry; advancement of horticulture, Boy's and Girl's Club work, culinary arts, domestic science, women's work and to appropriate moneys for that purpose and to provide for the way the same shall be done.

Agriculture.

By Mr. Vickers:

H. 920. To amend Section 6717 of the Code of Alabama.

Revision of Laws.

By Mr. Grove:

H. 921. To amend Section 6717 of the Code of Alabama, 1923.

Revision of Laws.

By Mr. Goodwyn (With Notice and Proof) :

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

Local Legislation.

Notice and Proof of H. 922.

LEGAL NOTICE

Notice is hereby given of the intention to apply to the legislature of Alabama at its present regular session for the passage of a law to alter and rearrange and extend the corporate limits of the city of Montgomery, in Montgomery county, Alabama, so as to embrace within the limits of said city the territory included within the following boundaries to-wit:

Beginning on the south bank of the Alabama river at a point where the north line of Section 11, Township 16, range 17, touches said river, thence west along the north line of said section 11 and section 10 to the south side of the Washington Ferry Road; thence south-easterly along the south side of the Washington Ferry road and along the northern and eastern boundaries of the United States reservation, Maxwell Field, to the north-east corner of lot 18 of the Ashley plat of section 10; thence southeasterly along the west side of a forty foot street, (being the eastern boundary of the United States reservation Maxwell Field) to the north side of the Cahaba or Selma road, thence southwesterly along the north side of the Cahaba or Selma road to the half section line running north and south through section 16; thence south along said half section line to the south line of section 15; thence east along the south line of section 15 to the southeast corner of section 15; thence south along the west lines of sections 23 and 26 to the quarter section post on the west line of section 26; thence east along the half section line running east and west through sections 26 and 25 to the half section post on the east line of section 25, being in the center of Court street extension; all of the above being in township 16,

range 17; continuing east along the half section lines running east and west through sections 30 and 29. Township 16, range 18 to the quarter section post on the east line of section 29, thence north along the east lines of sections 29 and 20 to the northeast corner of section 20; thence east along the south line of section 16 to the southeast corner of section 16; thence north along the east lines of sections 16 and 9 to the northeast corner of section 9; thence west along the north line of section 9 to the quarter section post on the north line of section 9; thence north along the half section line running north and south through section 4 to the north line of section 4; thence west along the north line of section 4 to the northwest corner of section 4; all of the above sections after crossing court street extension being in township 16, range 18; from the northwest corner of section 4, or the southeast corner of section 32, township 17, range 18; thence north along the east line of section 32 to the quarter section post on the east line of section 32; thence west along the half section line running east and west through sections 32 and 31, township 17, range 18, to the west line of section 31 said point being on the continuation of North Court street, thence continuing west along the half section line running east and west through sections 36 and 35, Township 17, Range 17, to the Alabama river, thence down the Alabama river along the east bank thereof to the point of beginning; and to zone parts of said territory into business, industrial and residential zones.

Signed—Chas. B. Teasley, member of senate; R. T. Goodwyn, Thos. E. Martin, L. A. Sanderson, Eugene Carter, members of the house.

STATE OF ALABAMA,

Montgomery County.

Before me John L. Goodwyn, a Notary Public in and for said County and State, personally appeared Brame Hood, who being by me first duly sworn, deposes and says on oath that he is the business manager of the Montgomery Journal, and The Times, a newspaper published in the City of Montgomery, in the County of Montgomery, and State of Alabama; that published notice was given of the intention to apply to the Legislature of Alabama at its regular session of 1927 for the passage of a law to alter or re-arrange and extend the boundaries of the City of Montgomery, Alabama; and that the foregoing attached notice is a true and correct copy of said published notice and same was published in said Montgomery Journal and The Times, once a week for four consecutive weeks on to-wit: June 27th, July 4th, July 11th, July 18th, 1927.

Brame Hood.

Sworn to and subscribed before me this 25th day of July, 1927.

John L. Goodwyn,

Notary Public, Montgomery County, Ala.

Notice is hereby given of the intention to apply to the Legislature of Alabama at its present regular session for passage of a law to alter and rearrange and extend the corporate limits of the City of Montgomery, in Montgomery County, Alabama, so as to embrace within the limits of said City the territory included within the following boundaries, to-wit:

Beginning on the south bank of the Alabama River at a point where the North line of Section 11, Township 16, Range 17, touches said River; thence West along the North line of said Section 11 and Section 10 to the South side of the Washington Ferry Road; thence Southeasterly along the South side of the Washington Ferry Road and along the Northern and Eastern boundaries of the United States Reservation, Maxwell Field, to the Northeast corner of Lot 18 of the Ashley Plat of Section 10; thence Southeasterly along the West side of a forty foot street, (being the Eastern boundary of the United States Reservation Maxwell Field), to the North

side of the Cahaba or Selma Road; thence Southwesterly along the North side of the Cahaba or Selma Road to the Half Section line running North and South through Section 15; thence South along said Half Section line to the South line of Section 15; thence East along the South line of Section 15 to the Southeast corner of Section 15; thence South along the West lines of Section 23 and 26 to the Quarter Section post on the West line of Section 26; thence East along the Half section line running East and West through Sections 26 and 25 to the Half Section post on the East line of Section 25, being the center of Court Street Extension; all of the above being in Township 16, Range 17; continuing East along the Half Section lines running East and West through Sections 30 and 29, Township 16, Range 18, to the Quarter Section post on the East line of Section 29; thence North along the East lines of Sections 29 and 20 to the Northeast corner of Section 20; thence East along the South line of Section 16 to the Southeast corner of Section 16; thence North along the East lines of Sections 16 and 9 to the Northeast corner of Section 9; thence West along the North line of Section 9 to the Quarter Section post on the North line of Section 9; thence North along the Half Section line running North and South through Section 4 to the North line of Section 4; thence West along the North line of Section 4 to the Northwest corner of Section 4; all of the above Sections after crossing Court Street Extension being in Township 16, Range 18; from the Northwest corner of Section 4, or the Southeast corner of Section 32, Township 17, Range 13; thence North along the East line of Section 32 to the Quarter Section post on the East line of Section 32; thence West along the Half Section line running East and West through Sections 32 and 31. Township 17, Range 18, to the West line of Section 31, said point being on the continuation of North Court Street; thence continuing West along the Half Section line running East and West through Sections 36 and 35, Township 17, Range 17, to the Alabama River; thence down the Alabama River along the East bank thereof to the point of beginning.

Chas. B. Teasley,

Member of the Senate.

R. T. Goodwyn,

Thomas E. Martin,

L. A. Sanderson,

Eugene Carter,

Members of The House.

STATE OF ALABAMA, Montgomery County.

Before me John L. Goodwyn, a Notary Public in and for said County and State, personally appeared Brame Hood, who being by me first duly sworn, deposes and says on oath that he is the business manager of the Montgomery Journal and The Times, a newspaper published in the City of Montgomery, in the County of Montgomery, and State of Alabama; that published notice was given of the intention to apply to Legislature of Alabama at its regular session of 1927 for the passage of a law to alter or re-arrange and extend the boundaries of the City of Montgomery, Alabama; and that the foregoing attached notice is a true and correct copy of said published notice and same was published in said Montgomery Journal and The Times once a week for four consecutive weeks on to-wit: June 22nd., June 29th, July 5th, July 12th, in 1927.

Brame Hood,

Sworn to and subscribed before me this 25th day of July, 1927.

John L. Goodwyn,

Notary Public, Montgomery County, Ala.

By Mr. Goodwyn (With Notice and Proof) :

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

Local Legislation.

Notice and Proof of H. 923.

Notice is hereby given of the intention to apply to the Legislature of Alabama at its present regular session for the passage of a law to alter and rearrange and extend the corporate limits of the City of Montgomery, in Montgomery County, Alabama, so as to embrace within the limits of said City the territory included within the following boundaries, to-wit: Beginning on the south bank of the Alabama River at a point where the North line of Section 11, Township 16, Range 17, touches said River; thence West along the North line of said Section 11 and Section 10 to the South side of the Washington Ferry Road; thence Southeasterly along the South side of the Washington Ferry Road and along the Northern and Eastern boundaries of the United States Reservation, Maxwell Field, to the Northeast corner of Lot 18 of the Ashley Plat of Section 10; thence Southeasterly along the west side of a forty foot street, (being the Eastern boundary of the United States Reservation, Maxwell Field), to the North side of the Cahaba or Selma Road; thence Southwesterly along the North side of the Cahaba or Selma Road to the Half Section line running North and South through Section 15; thence South along said Half Section line to the South line of Section 15; thence East along the South line of Section 15 to the Southeast corner of Section 15; thence South along the West lines of Sections 23 and 26 to the Quarter Section post on the West line of Section 26; thence East along the Half Section line running East and West through Sections 26 and 25 to the Half Section post on the East line of Section 25, being in the center of Court Street Extension; all of the above being in Township 16, Range 17; continuing East along the Half Section lines running East and West through Sections 30 and 29, Township 16, Range 18, to the Quarter Section post on the East line of Section 29; thence North along the East lines of Sections 29 and 20 to the Northeast corner of Section 20, thence East along the South line of Section 16 to the Southeast corner of Section 16; thence North along the East lines of Sections 16 and 9 to the Northwest corner of Section 9; thence West along the North line of Section 9 to the Quarter Section post on the North line of Section 9; thence North along the Half Section line running north and South through Section 4 to the North line of Section 4; thence West along the North line of Section 4 to the Northwest corner of Section 4; all of the above Sections after crossing Court Street Extension being in Township 16, Range 18; from the Northwest corner of Section 4, or the Southeast corner of Section 32, Township 17, Range 18; thence North along the East line of Section 32 to the Quarter Section post on the East line of Section 32; thence West along the Half Section line running East and West through Sections 32 and 31, Township 17, Range 18, to the West line of Section 31, said point being on the continuation of North Court Street; thence continuing West along the Half Section line running East and West through Sections 36 and 35, Township 17, Range 17, to the Alabama River; thence down the Alabama River along the East bank thereof to the point of beginning.

Chas. B. Teasley,
Member of the Senate.
R. T. Goodwyn,
Thomas E. Martin,
L. A. Sanderson,
Eugene Carter,
Members of The House.

STATE OF ALABAMA,

Montgomery County.

Before me Jesse B. Hearin, a Notary Public in and for said County and State, personally appeared Brame Hood, who being by me first duly sworn, deposes and says on oath that he is the business manager of the Montgomery Journal and The Times, a newspaper published in the City of Montgomery, in the County of Montgomery, and State of Alabama; that published notice was given of the intention to apply to the Legislature of Alabama at its regular session of 1927 for the passage of a law to alter or re-arrange and extend the boundaries of the City of Montgomery, Alabama; and that the foregoing attached notice is a true and correct copy of said published notice and same was published in said Montgomery Journal and The Times once a week for four consecutive weeks on to-wit: June 22nd, June 29th, July 5th, July 12th, in 1927.

Brame Hood.

Sworn to and subscribed before me this 22 day of July, 1927.

Jesse B. Hearin,

Notary Public, Montgomery County, Ala.

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama at its present regular session for the passage of a law to alter and rearrange and extend the corporate limits of the City of Montgomery, in Montgomery County, Alabama, so as to embrace within the limits of said City the territory included within the following boundaries, to-wit:

Beginning on the south bank of the Alabama River at a point where the North line of Section 11, Township 16, Range 17, touches said River; thence West along the North line of said Section 11 and Section 10 to the South side of the Ashley plat of section 10; thence Southeasterly along the South side of the Washington Ferry Road and along the Northern and Eastern boundaries of the United States Reservation, Maxwell Field, to the Northeast corner of Lot 18 of the Ashley Plat of Section 10; thence Southeasterly along the west side of a forty foot street, (being the Eastern boundary of the United States Reservation, Maxwell Field), to the North side of the Cahaba or Selma Road; thence Southwesterly along the North side of the Cahaba or Selma Road to the Half Section line running North and South through Section 15; thence South along said Half Section line to the South line of Section 15; thence East along the South line of Section 15 to the Southeast corner of Section 15; thence South along the West lines of Sections 23 and 26 to the Quarter Section post on the West line of Section 26; thence East along the Half Section line running East and West through Sections 26 and 25 to the Half Section post on the East line of Section 25, being in the center of Court Street Extension; all of the above being in Township 16, Range 17; continuing East along the Half Section lines running East and West through Sections 30 and 29, Township 16, Range 18, to the Quarter Section post on the East line of Section 29; thence North along the East lines of Sections 29 and 20 to the Northeast corner of Section 20, thence East along the South line of Section 16 to the Southeast corner of Section 16; thence North along the East lines of Sections 16 and 9 to the Northwest corner of Section 9; thence West along the North line of Section 9 to the Quarter Section post on the North line of Section 9; thence North along the Half Section line running north and South through Section 4 to the North line of Section 4; thence West along the North line of Section 4 to the Northwest corner of Section 4; all of the above Sections after crossing Court Street Extension being in Township 16, Range 18; from the Northwest corner of Section 4, or the Southeast corner of Section 32, Township 17, Range 18; thence North along the East line of

Section 32 to the Quarter Section post on the East line of Section 32; thence West along the Half Section line running East and West through Sections 32 and 31, Township 17, Range 18, to the West line of Section 31, said point being on the continuation of North Court Street; thence continuing West along the Half Section line running East and West through Sections 36 and 35, Township 17, Range 17, to the Alabama River; thence down the Alabama River along the East bank thereof to the point of beginning, and to zone parts of said territory into business, industrial and residential zones.

Chas. B. Teasley,
Member of the Senate.
R. T. Goodwyn,
Thomas E. Martin,
L. A. Sanderson,
Eugene Carter,
Members of The House.

STATE OF ALABAMA,
Montgomery County.

Before me Jesse B. Hearin, a Notary Public in and for said County and State, personally appeared Brame Hood, who being by me first duly sworn, deposes and says on oath that he is the business manager of the Montgomery Journal and The Times, a newspaper published in the City of Montgomery, in the County of Montgomery, and State of Alabama; that published notice was given of the intention to apply to the Legislature of Alabama at its regular session of 1927 for the passage of a law to alter or re-arrange and extend the boundaries of the City of Montgomery, Alabama; and that the foregoing attached notice is a true and correct copy of said published notice and same was published in said Montgomery Journal and The Times once a week for four consecutive weeks on to-wit: June 27th, July 4th, July 11th, July 18th, in 1927.

Sworn to and subscribed before me this 22 day of July, 1927.
Brame Hood.
Jesse B. Hearin,
Notary Public, Montgomery County, Ala.

By Mr. Hubbard:

H. 924. To amend Section 1106, Code of Alabama, 1923, relative to Venereal Disease Control.

Public Health.

By Mr. Harwood:

H. 925. To amend Sections 1438 and 1453 of the Code of 1923.

Public Health.

By Mr. Harwood:

H. 926. To provide for the sterilization and asexualization of persons dangerous to society and public health, and to provide the legal machinery therefor.

Public Health.

By Mr. Ware:

H. 927. To define and regulate the business of Dry Cleaning and Dyeing in cities in the State of Alabama of over five thousand population according to the last federal census and any subsequent federal census, and to provide for the erection and

maintenance of dry cleaning and dyeing buildings and establishments, and the inspection by the State of buildings and establishments used for such purposes in such cities, and to provide ways and means for enforcing this Act, and penalties for the violation thereof.

Municipal Organization.

By Mr. Matthews:

H. 928. To amend Section 3643, Code of Alabama, 1923.
Criminal Administration.

By Mr. Matthews:

H. 929. To amend Section 3672, Code of Alabama, 1923.
Criminal Administration.

By Mr. Matthews:

H. 930. To amend Section 3651, Code of Alabama, 1923.
Criminal Administration.

By Mr. Goodwyn: (With Notice and Proof):

H. 931. To authorize the Board of Commissioners of the City of Montgomery, Alabama, to vacate and abandon that portion of State Street in the City of Montgomery, Alabama, which has never been opened or used as a street by the public.

Revision of Laws.

Notice and Proof of H. 931.

LEGAL NOTICE

Notice is hereby given that application will be made at the present session of the Legislature of Alabama for the enactment of a law authorizing and empowering the city commission of Montgomery, Ala., to abandon and vacate all that portion of State street in the City of Montgomery, Alabama, extending from Clayton Street to Goldthwaite street, excepting that part thereof which is now opened and being used by the public, which excepted portion is 51 feet in width at Clayton street where it is intersected by State street, and 45 feet at the intersection of State street with Montgomery street on the south side of Montgomery street, and 41 and 4-10 feet at the intersection of said State street with Montgomery street on the north side of Montgomery street and 38 and 8-10 feet at the intersection of said State street with Goldthwaite street, that portion of said State street be abandoned never having been opened or used by the public as a street.

Board of Commissioners of The City of Montgomery, by W. A. Gunter, Jr., president.

June 29, July 6, 13, 20.

THE STATE OF ALABAMA, Montgomery County.

Before me, Latbna Burns, a Notary Public in and for the said County in said State, personally appeared R. F. Hudson, who being by me first duly sworn, deposes and says that he is business Manager of the Montgomery Advertiser, a newspaper published in the City of Montgomery, Alabama, and in general circulation throughout the State of Alabama, and that the foregoing legal notice, signed "Board of Commissioners of the City of Montgomery, by W. A. Gunter, Jr., President" was published at length in the regular edition of the said newspaper—The Montgomery

Advertiser—for four consecutive weeks; said notice having been published on June 29th and July 6th, 13th and 20th, 1927.

Subscribed and sworn to before me, this the 20th day of July, 1927.
R. F. Hudson,
Latona Burns,
(Seal) Notary Public, Montgomery County, Alabama.

By Mr. Waddell:

H. 932. To authorize and empower the Governor of Alabama to negotiate with the Government of the United States and with any other person, firm or corporation for the adjustment, compromise and proper settlement of, and, if such adjustment, compromise and settlement fails, to direct the institution of whatever suit or proceedings, at law or in equity, may be necessary to recover, the right, title, equities and interests which the State of Alabama has in and to the power dam, power site and other improvements at Wilson Dam and Muscle Shoals; and also any other rights or interests the State of Alabama has or owns in and to the beds, banks and waters of its navigable streams from the United States or from any other person, firm or corporation which may have any adverse interest or claim therein; and to employ all necessary agents or agencies and legal counsel for said purposes and to direct the Attorney General or such legal counsel, one or both, to institute such suits or proceedings whenever the Governor may deem necessary and to make appropriations for necessary expenses incurred therefor.

Judiciary.

By Mr. Morrow:

H. 933. To provide for a credit upon and deduction from the license or privilege tax levied and required to be paid under subdivisions 2 E and 2 F of Section 2 of an act entitled An Act in reference to and to further provide for the General Revenue of the State of Alabama, approved July 22, 1927, of the amount paid by corporations liable under said above subdivisions of the franchise tax and corporation permit tax required to be paid under said act approved July 22, 1927, and to prescribe the manner and time said credits and deductions shall be made.

Ways and Means.

By Mr. Sanderson:

H. 934. To promote and encourage the breeding and raising of blooded stock, and to create racing commissions in each county in this state now having, or which, in the future, might have, a population of seventy-five thousand or more inhabitants; to define the compensation, the rights, powers, and duties of such commissions, including the power to license horse racing in their respective county, and to collect fees for such licenses, and to provide for the disposition of such fees, and to allow and regulate book and pool making at such licensed races.

Revision of Laws.

By Mr. Jordan of Etowah:

H. 935. To amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama 1923.

Banks and Banking.

IN THE LEGISLATURE OF ALABAMA, SESSION 1927, REPORT OF
THE ALABAMA MUSCLE SHOALS COMMISSION.

To the President of the Senate and the Speaker of the House:

Pursuant to an Act of the Legislature approved February 10th, 1927, creating the Alabama Muscle Shoals Commission, its members were appointed as follows: The President of the Senate on the part of the Senate, appointed Senators G. Walter Jones, Huntsville, and William E. James, Cullman; the Speaker of the House on the part of the House appointed Representatives B. de G. Waddell, Seale, O. L. Tompkins, Dothan, C. W. Ashcraft, Florence; and the Governor appointed from the State at large Judge William E. Fort, Birmingham, and Hon. L. B. Musgrove, Jasper. By the terms of the Act the President of the Senate and the Speaker of the House are ex-officio members of the Commission.

Duties of the Commission. The act required that "Said Commission shall investigate the right, title and interest of the State of Alabama in and to the power dam, power site and other improvements at Wilson Dam and Muscle Shoals and report to this Legislature their findings and conclusions and recommend to the Legislature such statutes as ought to be enacted to preserve and conserve all the rights, title and interest of the State of Alabama in the said Muscle Shoals and Wilson Dam Improvement and project and also to conserve and preserve the right, title and interest of the State of Alabama in beds of the streams in Alabama."

Action of the Commission. The Commission held its first meeting in the office of the Governor on February 18, 1927, and completed its organization by the election of Senator Jones as Chairman and Representative Ashcraft as Secretary. Mr. John S. Tilley, Montgomery, was selected as Attorney

It was the opinion and advice of the Governor that the Commission and their Attorney should accompany him on an immediate visit to Washington, as the final adjournment of Congress was rapidly approaching and the Governor was of opinion that the State's interests should be safeguarded by an immediate statement by himself to the President and Congressional Committees, appropriately notifying these authorities that Alabama claimed definite rights at Muscle Shoals and in other navigable streams of the State.

The Governor accompanied by the Commission, their attorney, and the President of the Public Service Commission, appeared before the President February 24th, 1927, and presented the following statement:
The President of the United States:

We, the duly constituted authorities of the State of Alabama, recognizing and respecting every right, equity and power of our Nation, but conscious of our solemn obligation to the State of Alabama, and its people to assert, defend, and protect every right, equity, and power of Alabama, as provided and guaranteed in the laws of the land, do hereby present to you, the President of the United States, the following memorial and statement regarding the rights of Alabama in and to the bed, shores, water and power of that portion of the Tennessee River which is within the State of Alabama, and specifically with regard to the project located at Muscle Shoals known as Wilson Dam, with the appurtenances thereto.

Subject only to the authority of the United States relative to navigation and to war purposes, the State of Alabama claims absolute title to,

and ownership, jurisdiction and control of, that portion of the Tennessee River which is within the State of Alabama, its waters, banks, beds, soils, including the power in the water and the value thereof, and all other property rights in anywise incident thereto or arising therefrom.

Our contention that such title is in the State for public purposes is upheld by the uniform decisions of the Supreme Court of Alabama.

The Supreme Court of the United States has uniformly held that each State has the right to determine this question for itself.

The State of Alabama is prepared to supply ample and satisfactory authorities and briefs in support of each of the foregoing propositions, and stands ready to confer with the duly constituted authorities of the United States Government in regard to the rights and claims above stated.

Earnestly feeling our responsibility, and believing that the adjustment of this matter is peculiarly within the powers and functions of the Chief Executive of the Nation, we respectfully submit these claims to the consideration of the President of the United States.

The Governor, accompanied by the Commission, its Attorney and the President of the Public Service Commission had hearings also before the Secretary of War, the Judge Advocate General, the Committee on Military Affairs of the House and the Committee on Agriculture and Forestry of the Senate, and filed with each of them the same statement as was handed to the President.

Brief Prepared. The arguments presented were included in a brief prepared by the Attorney of the Commission, which was later enlarged, printed and filed with the Attorney General of the United States, and for information of the Legislature is included herewith in full as Appendix "A". This brief deserves the careful reading of the members of the Legislature and the citizens of Alabama.

History and Description of Muscle Shoals Developments. Since the Act creating the Commission specifically requires the consideration of Wilson Dam and Muscle Shoals in the Tennessee River in north Alabama, an outline of the history of the Muscle Shoals developments from 1824 to the present time, together with a brief description has been prepared and will be found in Appendix "B". The present status of the water power improvements in brief, is as follows:

The navigation project consists of three dams. Lock and Dam No. 1 is a small structure for navigation only, located between Patton Island and the north bank of the Tennessee River near the Southern Railway bridge at Florence. Its purpose is to supply a slack water approach up to the lower lock of Dam No. 2. Dam No. 2, now officially known as Wilson Dam, is a large navigation-power dam provided with two locks.

Both of these dams are completed and soon will be ready for navigation service. Wilson Dam backs up the water to the site of the proposed navigation-power Dam No. 3. The construction of proposed Dam No. 3 has not been started, the only work there being the complete core-drilling of the river bed to determine its suitability for foundation purposes. The lake above Wilson Dam submerges the entire lower section of the old Muscle Shoals canal except Locks Nos. One and Two.

Wilson Dam is equipped for the development of hydro-electric power, the power house being a part of the dam and located on the river bed at the south end of the dam. The power house contains concrete foundations for 18 hydro-electric turbines with a total generating capacity of 620,000 horsepower. Only eight of these turbines have been installed. As for the remaining ten, there is neither authority nor appropriation from Congress for their installation, although such legislation was before the last Congress.

Before the construction of Wilson Dam there was an island about midway of the river known as Jackson Island, which the Government pur-

chased, the island being approximately 1000 feet wide where it is cut in two by the dam, so that the government is using as foundations for the dam approximately 1400 feet on the original bed of the river north of Jackson Island and 1800 feet on the original river bed south of Jackson Island.

Utilizing Muscle Shoals. The utilization of the Muscle Shoals power and nitrate plants remains before Congress as an unsolved question. The National Defense Act provided that the power from dams built under its provisions should be used primarily for the manufacture of nitrates which are the essential elements in all explosives. These nitrates are to be produced in forms that would be useful in the manufacture of fertilizers. It was clearly the intention of Congress that the enterprise should be a part of our National equipment for defense and one which should be made useful to agriculture in time of peace.

Up to the present time Congress has not been able to agree upon any plan for the future of the properties. One group favors the acceptance of a proposal which has been made by the American Cyanamid Company, a concern which is now successfully operating at Niagara Falls the same nitrogen fixation process as that installed at Nitrate Plant No. 2, and which is using its Niagara Falls product in the manufacture of concentrated fertilizers. These are produced in the form of ammonium phosphate at its plant on New York Harbor at Warners, N. J., and are chiefly exported, though they are rapidly coming into general use in the South.

Another group favors the offer made by thirteen associated power companies who propose to utilize the synthetic process now used in government-subsidized plants in Germany and other European countries but which has never been employed for that purpose in the United States. The Government did construct Nitrate Plant No. 1 at Muscle Shoals to utilize this process but after an expenditure of more than \$13,000,000.00 it was abandoned as a failure.

The third group favors the operation by the Government of all the properties as a Government enterprise, the United States through a Government corporation, engaging in the business of power distribution, and in an experimental way only, in fertilizer production. It is in this field of Government operation that the rights of the State of Alabama are most seriously threatened.

Claims on Behalf of Alabama. In his inaugural address in January, 1927, Hon. Bibb Graves, Governor of Alabama, expressed his belief that the State of Alabama has certain definite rights and interests in all navigable streams of the State, including the Tennessee River at Muscle Shoals, based upon the State's sovereign ownership of the banks, bed and waters of all navigable streams, as trustee for the people. Upon his recommendation the bill was passed creating the Alabama Muscle Shoals Commission for the purposes set out at the beginning of this report.

The claim made by Governor Graves in behalf of the State of Alabama is based:

First, upon the rule of Common Law that the title to the bed of the sea and the bed of all rivers as far as the flow of the tide extended, was in the Crown; that the right of property in all navigable waters was conferred upon the Colonies by Royal Charters and was succeeded to by the States, "Subject to the superior power of the United States over navigation"; that the States have authority to establish such rules of property for themselves as they deem expedient, relative to the ownership of the beds and banks of navigable streams, subject to the paramount but limited authority of Congress to control navigation; that the State of Alabama, when admitted into the Union became entitled to the soil under its navigable waters and now owns such soil in its sovereign capacity as trustee for all the people of the State, subordinate only to the paramount right, limited

to the control of navigation, granted in the Federal Constitution to the United States; that this trusteeship of the State cannot be relinquished by any transfer of the property; and

Second, that Section 22 of the Constitution of Alabama provides, "That no ex post facto law, nor any law, impairing the obligations of contracts or making any irrevocable or exclusive grants or special privileges or immunities, shall be passed by the Legislature and every grant or franchise, privilege or immunity shall forever remain subject to revocation, alteration or amendment."

Rights of Federal Government and the State of Alabama at Muscle Shoals. The Commission has made a careful study of the legal aspects of this subject and has conducted extensive correspondence with officials of other states who have asserted their states' rights. As a result of this investigation the Commission finds that the respective rights of the interested sovereigns at Muscle Shoals are apparently as follows:

1. The Federal Government has the right under the Constitution to regulate interstate and foreign commerce and to safeguard the national defense. The first power confers the paramount, but limited, right to maintain and improve navigation, and the second gives the necessary authority to construct dams, plants, or other improvements for defensive purposes.

2. The United States Supreme Court in a long list of cases recognizes the paramount authority of the State to make and enforce its own property laws. This carries with it the unquestioned right of each sovereign state to determine the qualifications of these individuals or corporations who shall be permitted to engage in private business within the State and the conditions under which they shall be permitted to do business.

It is clear that the State may act independently of the Federal Government in cases of property rights only so far as it can do so without entering the field of interstate commerce or navigation improvement. In like manner the Federal Government may exercise independently its functions of interstate commerce regulations, navigation improvement and provisions for national defense, to that extent which does not transgress the property laws of the several states.

The Federal Government itself as a riparian owner could not qualify under the statutes of Alabama for the building of a hydro-electric dam for commercial purposes. The statute in question (Section 10570 of the Code of Alabama of 1923) states in plain terms who may qualify for the building of such dams; the language is

"Any person, firm or corporation organized for the purpose of improving the navigation upon a navigable river in the State of Alabama and of developing in connection therewith the waterpower thereof by a dam and lock, * * and shall have been organized and incorporated for the specific and particular purpose of improving the navigation of and developing water power in connection with a particular and specific river, etc."

As is soundly stated by Mr. John S. Tilley, Attorney for this Commission, under Point XXI of the brief presented as Appendix A, hereof,

"It needs no argument to establish the contention that this language does not describe the United States Government. The mere quotation from the statute proves that the United States could not qualify under the statute, inasmuch as the United States is not a person, firm or corporation organized for the purpose of improving navigation upon a navigable river in the State of Alabama and of developing in connection therewith a water power by dam or lock."

The Federal Government can no more engage in commercial business contrary to State law than the State can improve navigation contrary to Federal law. As a sovereign exercising its own paramount rights the United States did not need to apply to the State of Alabama for rights under State law to construct Wilson Dam for purposes of navigation im-

provement, but should it utilize this property for commercial purposes it is no longer in a field in which its authority is sovereign and paramount, but is within the realm wherein the power of the State is paramount and within which the authority of the State Supreme Court is admitted by the United States Supreme Court to be final and conclusive. This situation was brought out forcefully and clearly in the recent decision of the United States Supreme Court in the case of the Fox River Paper Company and others versus the Railroad Commission of the State of Wisconsin.

The Recent Fox River Decision. The Fox River Paper Company and others owned a timber dam across Fox River, a navigable stream, near Appleton, Wisconsin. The dam was completed in 1878 and has been maintained ever since.

Desiring to enlarge and rebuild their dam, the owners made application to the State Railroad Commission for a permit to do so under the State law. In applying for their permit, however, the owners refused to agree to conditions required of applicants under Section 31.09 of the Wisconsin statutes and on that account the State Railroad Commission decided that it was without jurisdiction to consider their application and ordered it dismissed. In a suit in the nature of a mandamus proceeding in the Circuit Court of Dane County, Wisconsin, brought by the owners of the dam, the Circuit Court sustained the Commission in its decision, and the Supreme Court of Wisconsin affirmed the position of the Circuit Court. The owners of the dam took the case to the United States Supreme Court on the ground that the State law was unconstitutional.

The United States Supreme Court on May 31st, 1927, handed down its decision stating that it would not undertake to pass upon the sufficiency of the statute in question, this being a matter of State law. "The nature and extent of the rights of the State and of riparian owners in navigable waters within the State and to the soil beneath, are matters of State law to be determined by the statutes and decisions of the State," said the Court. "It is for the State Court in cases such as this to define rights in lands located within the State," said the Court, and further declared "this court on writ of error must accept as final the ruling of the State court of last resort on all matters of State law."

The United States Supreme Court reviewed the Wisconsin law and found that the statute in question "did not appear to run counter to any established rule of property" of the State, and hence, there was no violation of a constitutional right. "Compliance with section 31.09 (of the State law of Wisconsin) is the price which plaintiffs must pay to secure the right to maintain their dam," said the Court in affirming the judgment of the Supreme Court of Wisconsin, the Circuit Court of Dane County and the State Railroad Commission.

The Supreme Court of Wisconsin upheld the contention of the Railroad Commission that the property rights of riparian owners in the water power are subordinate to the State control of navigable waters, and the riparian owner can have no such right so long as the State withholds its consent to the construction or continued maintenance of the dam. The United States Supreme Court unanimously held that the question was one of State law on which the United States Supreme Court must accept the ruling of the Supreme Court of Wisconsin as final.

In general, therefore, it is clearly apparent that in the construction, maintenance and operation of a dam in a navigable stream, the rights of the Federal Government are paramount and unquestioned so long as its acts pertaining to this dam are acts consistent with the purposes of navigation improvement; but when, having acquired the position of a riparian owner for this paramount purpose of navigation improvement, the Federal Government performs acts in connection with its property which are not compatible with this purpose, and utilizes its improvements and riparian

rights in order to sell power commercially in competition with its citizens, then its acts are no longer in a field wherein its rights are paramount but are merely those of a riparian owner within the State and as such are amenable to the property law of the State in which they occur. In this field of property rights the authority of the State Supreme Court is conceded by the United States Supreme Court to be final and conclusive.

The authority of the State Supreme Court being final on all matters of State property law, it follows that it is the paramount right of the State, in consenting to the construction or continued maintenance of a dam across a navigable stream for commercial purposes to attach to its consent such conditions as the Legislature may from time to time see fit, provided that in so doing it violates no constitutional right of the parties at interest.

Water power differs from every other form of private property in two respects. First, on navigable streams the ownership of water power by the owner of riparian rights, with or without improvements, is not absolute ownership in fee, but is always subject to the superior rights of the Federal Government for purposes of navigation improvement which does not recognize the riparian owner's title to the water power. The right of the riparian owner are further subject to the superior rights of the State, which has paramount authority over property rights and holds in trust the bed, banks, and waters of its navigable streams in the interest of all the people. Without the consent of the State the courts have held that the riparian ownership of waterpower does not exist.

The rights of the riparian owner in the water power of a navigable stream therefore are not recognized in law against the paramount but limited right of the Federal Government to regulate and improve navigation, nor are they recognized in law against the paramount right of the State to regulate and control property rights within the State.

Federal Water Power Act. Contrary to much popular opinion the Federal Water Power Act, aside from navigation requirements, is merely a gesture on the part of the Federal Government, for its so-called regulations are entirely unenforceable without the consent of the State. The authority and jurisdiction of the State is recognized in Section 9-B of the Act which states that every applicant for a Federal permit must present:

"Satisfactory evidence that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this Act."

In other words the State's rights come first and the Federal Government under this provision undertakes only to satisfy itself that the applicant has complied with the laws of the State. Since compliance with the State laws is a prerequisite qualification of an applicant under the Federal Water Power Act, it follows that other provisions of the Act are themselves effective only in so far as they do not violate the State law. The administration of Federal Water Power legislation, therefore, is administration by sufferance of the States and effective in its specific provisions only so far as the States by their actions or inactions permit it to be effective.

In 1922 the State administration of New York brought suit against the Attorney General of the United States and the Federal Power Commission to test the Federal Water Power Act and the threatened invasion of the rights of the State of New York by the Federal Power Commission.

Before taking testimony in the case, a conference was held between the representatives of the State and Federal Government on May 10, 1923, in order if possible to harmonize the conflicting claims of the respective

rights of the two Governments. The results of this conference are given by Hon. Carl Sherman, Attorney General of the State of New York, in the Annual Report of the New York Water Power Commission for the year ending December 31, 1924, page 56, as follows:

"I agreed to discontinue the suit because I felt the state could not have a test of these important questions in view of the attitude of the present Federal officers, who have taken no action which may be regarded as an infringement of the state's rights in its waters, and in conference, substantially conceded the State's claims."

If the Federal Power Commission had had confidence in their legal rights it is not conceivable that they would have conceded the rights of New York State as they did.

The State of New Jersey brought suit against the Attorney General and the Federal Water Power Commission in 1925 in order to test the Federal Water Power Act but the bill was dismissed by the Supreme Court because:

"In the judgment of the Court whether the provisions of the Act are invalid as alleged cannot be made the subject of judicial inquiry until they are about to be given some practical application and effect and this would naturally be after they became a part of an accepted license and after some right, privilege, immunity or duty asserted under them becomes the subject of actual controversy." (Sixth Annual Report Federal Power Commission, page 39.)

In the absence of such actual controversy the bill was dismissed.

The Federal Power Commission has never to our knowledge, permitted a concrete question involving the validity of the Federal Water Power Act to come to an issue that would properly form the basis of a suit in the Supreme Court.

Position of Commission. The circumstances which demand a consideration of the rights of the State in connection with the Wilson Dam at this time were well stated by Governor Graves before the Committee on Military Affairs of the House of Representatives, February 24, 1927, as follows:

"So long as it was the right of the Nation that was involved, we have stood aside. So long as you were doing it from the standpoint of the national defense or from standpoint of navigation, we were putting the interest of the Nation first. So long as those considerations were the major ones, we stood aside, and it is only when it looks like the national interest is to be made a side line, and that the main question is to be one of property interests and profits, that the case becomes different.* * * We are willing for you to use it for national purposes, but not for financial purposes."

Alabama yields to no other State a greater degree of patriotism in dealing with a military enterprise essential to national defense, nor superior cooperation in advancing the interest of the Federal Government in the cause of navigation improvement. Our people donated much of the overflowed lands for the Wilson Dam development and gave options to the United States for the purchase of other thousands of acres at prices representing but a fraction of their value.

We raised no question of state's rights when during the great war, President Wilson ordered the construction of Wilson Dam. There was no thought in those days of financial gain or profit in considering this dam. The military value of the dam remains today of utmost importance. Its value to navigation will increase with every dam that is built in Tennessee River. The chief interest in the dam today, however, is neither of these purposes, but the question of the commercial generation and sale of electrical power, and in this field of property rights the authority of the State is final and conclusive. We do not believe that the State should be arbitrary in the exercise of its undisputed authority in this field, but should use it

only to protect its citizens against policies which would clearly be detrimental to their interests.

We unhesitatingly protest against any lease by the Government wherein the lessee would attempt to pay the Federal Government for the regulated flow of a navigable river. We believe that such a payment violates the fundamental rights of the State and works an injustice to its citizens. In this regard we would particularly call attention to the opinion of Hon. John K. Shields, former Supreme Justice of the State of Tennessee, and later Senator from Tennessee, who in a letter of January 15, 1927, to Hon. Cordell Hull, Member of Congress from Tennessee, stated:

"The only instance which has come under my observation of the United States, where it has no riparian rights, proposing to charge for water power created by storage reservoirs, whether constructed by it or not, is that contained in the proposed contracts between the thirteen associated power companies and the United States for the lease of the Muscle Shoals dam and works, under which the lessee is to pay \$20.00 per horsepower annually for each additional horsepower made primary in excess of the present primary power of Dam No. 2, created by storage and headwater improvements, not to exceed \$1,200,000.00, and a similar provision for the payment of increased primary power at Dam No. 3 not to exceed an annual charge of \$600,000.00. These provisions must astound all who have reasonable knowledge of the rights of the states in the waters of navigable rivers. This provision of the contract is without consideration and is void and unenforceable. These waters and the right to receive compensation for their value and benefit belong to the States and the people of Tennessee and Alabama, and they have the sole and exclusive right to receive the revenue from them."

In the Fox River case referred to above, the United States Supreme Court, by unanimous decision, confirms the opinion of Judge Shields. There is no way for this \$1,800,000.00 annual payment to be made except for the power companies to pay it into the Federal Treasury—a tax upon the power consumers amounting in 40 years to \$72,000,000.00—but if this is done it will be because the State Legislature has failed to use its admitted constitutional powers to protect the people of the State. To those who believe that such a violation of State's rights would never be approved by Congress, we would say that a Joint Committee on Muscle Shoals from the United States Senate and House approved and reported out such a proposal by a majority vote at the last Congress.

All contracts for sale of utility power within the State being subject to State regulation, it is the opinion of the Commission that regulatory powers of the State are not limited by reasons of the fact that a contract for power sale may be considered temporary in nature by its makers, but all contracts covering the sale of power which is to be used for general distribution, in whole or in part, should be made with the approval of the duly constituted agent of the State—The Alabama Public Service Commission.

We feel that the exercise of such authority over transactions involving electrical power for distribution within the State is in accordance with the policy which Congress adopted in passing the Federal Water Power Act, for the Act provides "that the jurisdiction of the (Federal Power) Commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a Commission or other authority for the regulation and control of that specific matter." If the State of Alabama is negligent in protecting the interests of its people it can hardly complain if the United States endeavors to protect them; but the invitation is for the State to exercise its paramount authority in this matter of property rights and we believe that it should do so.

We would not impose conditions on behalf of the State which would tend to delay or diminish the proper development and utilization of our water power resources whether at Muscle Shoals or elsewhere in our navigable streams. Our greatest waterpower development within the State has suffered years of fruitless delay and discussion because of the activity of radical enthusiasts who seek to overturn the established policy of the Government in the United States by placing our Government in private business in competition with its citizens, thereby jeopardizing private capital and leading to uncertainty and delay in the development and utilization of our water power resources. Your Commission does not believe that a policy of Government-in-business will work out to the best interests of the taxpayers of Alabama or any other State and therefore does not believe that it is in the best interests of the Federal Government itself. It is our opinion that the State of Alabama should express its sovereign power over property rights, and demand that the Federal Government should not engage in commercial distribution of power in Alabama, because we believe that such a policy will conserve the best interests of the State and Federal Government alike and will perpetuate the sound policy of keeping the Government clear of commercial enterprises—a policy which from careful examination of the Federal Constitution we believe was clearly in the minds of the framers of that historic document. The State Constitution prohibits the State Government from engaging in the power business and makes no exception in favor of the Federal Government. A policy of no Government-in-business in Alabama applies as aptly to Federal as to State enterprises, so that a power business conducted by the Federal Government, at Muscle Shoals or elsewhere within the State, clearly would be a violation of the intent and purposes of our State Constitution.

As an indication of the length to which advocates of Government operation will go in violating State's rights in their efforts to create Federal authority to establish their policies, the following extracts are given from Government operation bills which at one time or another have been before Congress.

The earliest of these was the so called Wadsworth-Kahn Bill (S. 3390, 66th Cong., 2nd Sess.) reported May 24, 1920, which provided that a Government corporation should have the power

"To sell any or all of its products to producers or users of fertilizers or to others."

Nothing was said in this bill about the operation of the corporation to conform to the property laws of the State in which it was proposed that it should do business.

The Norris Bill of 1922 (S. 3420, 67th Cong., 2nd Sess.) introduced by Senator Norris April 10, 1922, provided that a Government corporation should have the following authority:

"In case all of the power developed at Dams Nos. 2 and 3 at Muscle Shoals and at any other dams constructed by the Secretary of War under the provisions of this Act and turned over to the corporation, cannot be used to practical advantage and is not necessary for manufacture of fertilizer or for explosives as herein provided, the Board (of Directors of the Corporation, consisting of three persons appointed by the President with the advice and consent of the Senate) may in its discretion sell any such surplus power so developed to any State, municipality, district, corporation, partnership or person upon such terms and under such conditions as the Board may deem just; and * * the Board may as one of the conditions of such sale provide in the contract for such sale further regulations of price at which any such individual, partnership or corporation shall charge the consumer in a resale of such power."

In another paragraph, the bill provides that the corporation shall have the power

"To make and enforce such contracts as may be necessary to carry out the provisions of this Act."

A similar bill, identical in the foregoing respects, (S. 2372, 68th Cong., 1st Sess.) was introduced by Senator Norris, February 7, 1924,

On January 5th, 1926 Senator Norris introduced a bill (S. 2147, 69th Cong., 1st Sess.) providing for the organization of a Government corporation to be known as "The Federal Power Corporation" naming three well known advocates of the policy of Government-in-business as directors; the bill provided that this Board

"shall construct such transmission lines as in its judgment may be advisable and shall charge such rates as in its judgment will be necessary" and "provide in the contract therefor for the regulation of the price at which any such individual, partnership or corporation shall charge the consumer in a resale of such power."

These provisions manifestly are an open and flagrant violation of the property laws of the State of Alabama.

The Muscle Shoals power properly and fairly utilized for the purposes for which Congress intended can undoubtedly bring a great public good not only to the citizens of Alabama, but to the farmers and to the people of all the States. In the hands of irresponsible bureaucrats, however, seeking only to perpetuate their offices and financing their operations out of the public treasury, the Muscle Shoals or any other important waterpower can become an effective instrument for demoralizing that spirit of private enterprise and initiative which is the foundation of this country's prosperity.

(To this point the Commission were in unanimous agreement on the report. But in the matter of "Conclusions", C. W. Ashcraft did not concur in the views of the other members of the Commission. The "Conclusions" next following are those favored by the majority. Mr. Ashcraft's views as to "Conclusions" follow those of the majority and to that extent Mr. Ashcraft offers a minority report.)

Conclusions. Your Commission is therefor of the opinion that the Governor of the State of Alabama should be authorized by proper legislative enactment to negotiate with the Government of the United States and with any other person, firms or corporations for the adjustment, compromise and proper settlement of, and, if such adjustment, compromise and settlement fails, to direct the institution of whatever suit or proceedings, at law or equity, may be necessary to recover, the rights, title, equities and interests which the State of Alabama has in and to the power dam, power site and other improvements at Wilson Dam and Muscle Shoals; and also any other rights or interests the State of Alabama has or owns in and to the beds, banks and waters of its navigable streams from the United States or any other person, firm or corporation, which may have any adverse interest or claim therein; and to employ all necessary agents, or agencies and legal counsel for said purposes and to direct the Attorney General or such legal counsel to institute such suits or proceedings whenever the Governor may deem necessary and to make appropriations for necessary expenses incurred therefor.

In the case of Fox River Paper Co., et al vs. Railroad Commission of Wisconsin, decided by the Supreme Court of the United States on May 31st, 1927, the principle was re-enunciated, which principle had in effect many times before been stated by the same Court, that a State has the power to amend laws now existing, covering the subject of water powers and the control thereof, by suitable regulations, requirements and conditions precedent to the construction or continued maintenance of any dam in any navigable stream of a State where the same laws govern as in the State of Alabama, whether said dam is already built or may be built hereafter; provided that such dam is used or may hereafter be used commercially for power purposes. If the Legislature of this State regard any of its water

power laws as being inadequate, unfair or unjust, it is within its power to revise such laws. If and when the Legislature feels that adequate laws have been enacted, your Commission believes that it voices the desire of all of our people to cooperate cordially with the Federal Government in all matters of internal improvement within the state and especially in the improvement and development of our navigable streams and rivers; and we recommend that, if and when the Governor and counsel and agents have negotiated satisfactory terms and conditions with the Federal Government, its agencies, or lessees, which will safe-guard the interests of the State of Alabama and such terms and conditions have been approved by the Legislature an easement should be granted to the Federal Government, or its agencies, or lessees, for the construction and maintenance of power plants at both Wilson Dam in the Tennessee River and Lock and Dam No. Seventeen (17) in the Warrior River, and in any other proposed water power plant or plants operated for commercial purposes, in connection with any navigation dam within this State, and that such easement should be granted along such lines and on similar terms as such easements may be granted to persons, firms or corporations by the laws of this State; but conditioned upon compliance with all laws and regulations of the State of Alabama and such reasonable terms and conditions and under such permits as may be required by the duly constituted authorities of this State.

Respectfully submitted,

G. Walter Jones,

Chairman.

William E. James,

B. de G. Waddell

Oscar L. Tompkins,

Wm. E. Fort,

Watt T. Brown.

MINORITY REPORT BY C. W. ASHCRAFT

While concurring in the statements and arguments of the Commission, I am unable to agree with other members in their "Conclusions" based upon those arguments. I am unwilling to advise the State of Alabama to enter upon a lawsuit with the United States Government upon any of the grounds this Commission has had presented to it, or were able to ascertain. This whole inquiry and activity has unquestionably been directed toward the Government at Wilson Dam. Every legislature which has met since the building of Wilson dam was even contemplated, has passed appealing resolutions calling upon Congress to start the building of the Dam, to let it to Henry Ford, to make appropriations to finish the Dam and Power House and equip them. This work has all been completed with every modern equipment. Now, that it is completed and all the money spent that can be spent to make it the most modern, and most inspiring development of its kind in the world, I cannot bring myself to be a party to entering suit against the Government for a proprietary interest in it. After all that was said and done to induce the Government to invest the millions there for its completion and equipment, my conscience rebels at the thought of such a claim on technical grounds. I am sure I voice the earnest desire of every citizen of the state in asserting a determination to encourage and not discourage the Federal Government in continued appropriations for further developments in navigable streams within the State.

The State does have and should assert the right to regulate and control the commercial output of the plant. In doing so it is within both its moral and legal rights as well as meeting its unquestioned obligations. The development is within the State and the State would not and could not escape its obligation to police and protect the properties and furnish all the facili-

ties of civilization including highways, schools, etc., for those engaged in its operation. Therefore, the State must regulate and control, and must be kept in position to be able to perform towards the properties its obligations of statehood. Therefore, protecting every right and obligation of the State, in morals as well as the right of regulation and control, I make the following recommendations which are to that extent a Minority Report.

Conclusions. It is my opinion that it is within the power of the Legislature of Alabama to amend its State water power laws by setting up such regulations as it may see fit to impose as conditions precedent to the construction or continued maintenance of any dam whether built now or hereafter, in any navigable stream of the State, which is used or to be used commercially or industrially for power purposes, and it is my judgment that under this authority the State should safeguard its citizens against illegal and inequitable contracts whether temporary or otherwise in nature and against contracts calling for payments devoid of consideration.

I believe that second only to the duty of serving the best interests of its citizens, it is the obligation of the State to cooperate with the Federal Government in all matters of public improvement. It is, therefore, my opinion that this Session of the Legislature, while safeguarding the rights of its citizens, should aid the Federal Government in such works of improvement as Congress shall desire to build within the State, by offering, in a spirit of cooperation, a fair and just basis on which the Federal Government may proceed, with the knowledge that its plans will have the fullest cooperation of the State. The Legislature of Alabama would never have made a charge for granting to the Federal Government an easement for the construction of the Wilson Dam for power purposes during the war, and should disavow any intention on its part to take advantage of the fact that the dam has been built, but with the same patriotic pride as that shown by citizens of the Muscle Shoals district in furnishing their lands, and surrendering none of the legal rights as a sovereign State, I believe that the power laws of Alabama should be so amended as to provide for granting the Federal Government an easement for the construction and maintenance of commercial power plants at both Wilson Dam in the Tennessee River and Lock and Dam Number 17 in the Warrior River, and I further believe that the Federal Government should be granted an easement for the construction of power plants, for commercial purposes, in connection with any other navigation dam which the Government may be induced to build within the State. For this purpose I believe the Alabama Public Service Commission should be directed by Statutes to grant such an easement to the Federal Government for Wilson Dam in the Tennessee River and Lock and Dam Number 17 in the Warrior River, and that it should be made the duty of the Commission to maintain contact with the Federal Government for the purpose of encouraging and facilitating the construction of other similar improvements within the State by the Federal Government and from time to time recommend suitable legislation to effectuate this purpose.

In the same spirit of cooperation I would call upon the Federal Government to protect and conserve the interests of the people of Alabama by leasing such power-navigation developments to responsible bidders upon terms which shall yield the Federal Government a reasonable rate of interest upon its investment for power purposes but not burdening to users of power beyond a fair return when considered with due regard to the rate paid by the Government upon its invested capital, and in the light of the fact that the Federal Government is not a profit-making institution. This has been the attitude of the Government in building dams for the aid of agriculture in the arid regions of the West. Fertilizers produced by cheap water power are as essential to the East and South as water for irrigation is to the West.

Recommendations. I therefore recommend that the Legislature enact a law granting to the United States Government an easement for the construction and maintenance, in connection with the navigation dams and improvements, at Wilson Dam in Tennessee River and at Lock 17 in Warrior River, suitable power houses and power facilities for generating hydro-electric power for commercial or industrial purposes, so as to set at rest, so far as legislative enactment may do, any conflict of claim or authority between the State and Federal Government concerning those improvements which have already been made. I also recommend the enactment of legislation for granting similar easements in connection with any other developments or improvements which the Government may in the future be induced to undertake.

But in full accord with the Government's policy as defined in the Federal Water Power Act, I call upon Congress not to enact laws nor to approve contracts affecting the use or disposition of power from such developments that shall be in violation of or in conflict with clearly acknowledged states' rights in the matter of regulation or control or any other property rights or laws of the State. I call upon Congress and Federal officials under their direction not to make terms for use of such properties that shall be more burdensome to users of water-made power, than are required of users of water-made irrigation in the West. I call upon Congress, in considering contracts in connection with all such power developments, to adhere to principles embodied in section 9-b of the Federal Water Power Act and require every lessee to procure and maintain the position of constant compliance with all state laws of regulation and control in all respects as if said lessee or operating agency or company were an Alabama citizen or corporation, as I believe was clearly in the mind of Congress when they passed the Federal Water Power Act.

Seeking to forthwith carry into effect Alabama's part in these recommendations a suitable bill will be introduced, with the expectation that it be enacted into law.

In submitting this report and these recommendations I am mindful of the fact that these steps will not establish in Alabama the fully developed water power policy which the State should have in the interests of its taxpayers.

I do believe, however, that the action here recommended will safeguard the rights of the State as trustee for the people in establishing clearly defined relations with the Federal Government at Muscle Shoals in accordance with a fair and constitutional policy as stated by Governor Graves. Such a course I believe is fundamental and must be adopted before taking other steps in working out a state water power policy.

Respectfully submitted,
C. W. Ashcraft.

SUPPLEMENTAL RECOMMENDATIONS AND REPORT BY OSCAR L. TOMPKINS.

I fully concur in the majority report of this Commission and have signed same. The recommendations contained in that report will receive all of the aid I am capable of giving in the House of Representatives. Yet, a compelling sense of duty forces me to add the following, which expresses my individual views as to certain features of the water power situation in Alabama.

I would not do or say anything or recommend anything to retard power development in Alabama or to make unsafe legal investments in power development projects in Alabama. I believe in the protection of every property right of every individual, firm and corporation.

But I am not unmindful of the fact that heretofore the State of Alabama undertook to grant perpetual easements in and to its navigable

streams for power purposes and that these grants were based on no adequate consideration.

It is my opinion further that these seeming irrevocable grants are in conflict with the Constitution of this State and that the State of Alabama has the right and power from time to time to enact suitable legislation necessary to keep for the people a part of the profits derived from the use of these so-called easements. I do not forget that for a long period of years, the persons, firms and corporations who secured these grants and made these developments were exempt in a large measure from taxation and secured special favors in that respect. I feel that the time has come to make known to the world that while we shall respect every legal and constitutional right of every dollar of capital invested in this State; yet, this capital must realize that the State will not sit supinely and see the birth-right of future generations and all toll therefrom withheld from the sovereign.

I feel that the water power laws of this State should be revised and readjusted so as to be fair both to water power companies and to the sovereign and its citizens; that laws should be enacted to preclude the pre-emption of remaining power sites in this State for speculative purposes and without regard to the supreme rights of the State.

The water powers of the State are the property of the whole people of the State and not the property of any particular section or locality, and laws should be enacted keeping this principle in mind. The case of Fox River Paper Company, et al v. R. R. Commission of Wisconsin, decided by the Supreme Court of the United States on May 31, 1927, clearly re-enunciates the principle that this State has absolute control and ownership in and over its navigable streams, save as to navigation and certain aspects of National Defense.

This State in the main bartered away for nothing its public lands with their rich deposits of iron and coal. But little remains from those lands except unpleasant memories and bitter experiences. If this State had exercised cautious provision in the disposal of its coal and iron lands, Alabama today would have as perfect a system of public schools and higher institutions of learning as any other State in the Union. It lies in our power now to protect our rights in our invaluable water power, so that this generation and generations to be born may rise up and call us blessed for that we met our duty like men and protected our rights in the exhaustless reservoirs of our water powers. I do not want to be misunderstood; yet, I do not fear misunderstanding. I reiterate that all legal and constitutional rights in all property should be regarded as sacred. With the same fervor I declare that the same rights of this sovereign state and its citizens should be protected.

Respectfully submitted,
Oscar L. Tompkins.

The report was ordered spread upon the Journal of the House.

BILLS ON SECOND READING

Mr. Long, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his

election, jurisdiction, powers, and authority and qualifications, to render him liable to all the pains and penalties of the other circuit Judges of the State, and to provide for the salary of said Judge.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 650. To empower and authorize the commissioner's courts or boards of revenue or other governing bodies of the several counties of this State, to donate, contribute or appropriate any of the public funds of the county, not otherwise designated, to the public schools of their respective counties for the purpose of building, rebuilding, enlarging, remodeling, painting, seating or equipping the public school buildings of their respective counties, as the condition of the county finances may warrant from time to time; and to provide that public funds may be appropriated for indebtedness already incurred for the purposes named.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 727. To amend an act to amend Section 3 of an act entitled an act "To establish an Inferior Court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within, or partly within, the city of Birmingham, Alabama, except Precincts 45, 52 and 29, in lieu of all justices of the peace in said precincts, and in lieu of all notaries public, with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory; to define the jurisdiction and powers of said court, the judge, clerks, and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." approved July 12, 1915.

S. 340. To fix the salary of Judges of Probate in all counties in this State which now have, or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said Judges of Probate and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such Judges of Probate, and to provide for an election clerk to be

appointed by said Judges of Probate, who shall also be ex-officio clerk of the Board of Registrars in said counties, define his duties and fix his compensation; and to require all of said Judges of Probate to pay into the County Treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said Judges of Probate as other moneys belonging to said counties are paid.

H. 810. To amend section 11 of "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8, 1911.

H. 869. To make each County in the State of Alabama, which now has over One Hundred and Fifty Thousand population, according to the last census taken by the United States of America, or which may hereafter have over one hundred and fifty thousand population, according to a census which may hereafter be taken by the United States of America, A Stock Law District, and to make it unlawful for stock to run at large in such Stock Law District, subject to the same penalty or penalties and in the same manner and way as is provided by general laws of the State of Alabama, pertaining to other Stock Law Districts in the State.

H. 868. To authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, woco-pep or any substitute therefor, not to exceed three cents per gallon; to authorize such court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to make provision for the distribution of said tax; to prohibit any incorporated city or town in said county from levying a municipal tax on gasoline, woco-pep or any substitute therefor; to repeal the municipal taxes on said gasoline, woco-pep or any substitute therefor, which may now be levied by any incorporated city or

town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

H. 870. To authorize the trustee of and for the sixteenth section in Township 17 south of range 5, west of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in Equity, after said Court has ascertained the substantial equality of the respective monetary values of each tract: and provided further that the existing lessees of said Sixteenth section consent in writing to surrender all their rights, title and interests, as lessees or otherwise, in and to said Sixteenth section, or consent to take in substitution for their existing rights as lessee a lease to such other or different land in said Township; and to substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

H. 878. To repeal the act entitled "An act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 822. To amend section 15 of an act approved April 8th, 1911 and entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government."

H. 873. To authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham

for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such counties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use thereof; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to extend county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and authorizing such counties to enter into such contracts and operate such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this act authorizes the governing bodies of such counties to do.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS ON SECOND READING

Mr. Morrow moved to recommit the bill:

H. 772. To amend Section 3040 and Section 3048 of the Code of Alabama of 1923.

To the Stadning Committee on Judiciary.

Mr. Monk moved to table the motion made by Mr. Morrow and the motion to table was lost.

Yeas, 18; Nays, 70.

Yeas:

Messrs:

Adcock	Edwards	Monk	Ringer
Anderson	Gullatt	Nipper	Sanders (Pike)
Baldwin	Harwood	Poole	Stewart (Bibb)
Cannon	Hollis	Powell	Ward (Tuscaloosa)
Darden	Jones (Cleburne)		

—18

Nays:

Messrs.:

Mr. Speaker	Grove	Martin	Rogers (Mobile)
Allen	Guy	Matthews	St. John
Bartlett	Hampton	Merrill	Sanders (Conecuh)
Beebe	Hawkins	Miller (Marengo)	Sanderson
Brunson	Hightower	Miller (Sumter)	Shepherd
Bryant	Howard	Molette	Starnes
Carter	Howell	Morrow	Stephens
Christian	Hubbard	Mullen	Stewart (Calhoun)
Cockrell	Jeter	Owens	Thompson
Cook	Jones (Bullock)	Parish	Tompkins
Deloney	Jordan (Etowah)	Patterson	Tunstall
Denson	Jordan (Washington)	Pegues	Vickers
Desear	Kirkpatrick	Pitts	Ward (Geneva)
Edmundson	Langdon	Quillin	Ware
Golson	Lawler	Reeder	Webb
Goode	Lee	Rivers	Weldon
Goodwyn	Lovelace	Rogers (Elmore)	Winn
Green	McAdory		

—70

And the bill:

H. 772. To amend Section 3040 and Section 3048 of the Code of Alabama of 1923.

Was recommitted to the Standing Committee on Judiciary.

NOTICE IN WRITING

Notice is hereby given that a motion will be made on the next Legislative day to take H. B. 54 from the Adverse Calendar and place same on the regular calendar of the House.

Geo. O. Miller.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following resolution:

By the Rules Committee:

S. J. R. 67. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet on Thursday, July 28th, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Joint Resolution 67 which is set out in the above and foregoing Message from the Senate, was on motion of Mr. Tunstall concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate Amendment to the bill:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people or less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the courts of county commissioners, boards of revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

And the President of the Senate has appointed as conferees on the part of the Senate Messrs. Teasley, Mitchell and Stokes.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, had passed the following House Bill and returns same herewith to the House.

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal Census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the state, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties Juvenile and Domestic Relations Courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an Advisory Board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder

thereof and to provide for the repeal of all laws in conflict with this Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill H. 574 said Senate amendment being as follows:

Amend Section 6 of H. B. 574 by striking out the word "Six" where it appears in line 3 of said section and insert in lieu thereof the word "Four".

Yeas, 71; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	McAdory	Rivers
Adcock	Golson	Martin	Rogers (Mobile)
Allen	Goode	Matthews	St. John
Anderson	Goodwyn	Merrill	Sanders (Conecuh)
Baldwin	Green	Miller (Marengo)	Sanders (Pike)
Beebe	Grove	Miller (Sumter)	Sanderson
Brvant	Harwood	Molette	Simpson
Burleson	Hawkins	Monk	Smith
Burns	Hightower	Morrow	Stephens
Byars	Howard	Mullen	Stewart (Bibb)
Cannon	Howell	Nipper	Stewart (Calhoun)
Carter	Hughes	Norman	Thompson
Cockrell	Jeter	Owens	Tompkins
Cook	Johnson	Parish	Vickers
Darden	Jones (Cleburne)	Patterson	Ward (Geneva)
Deloney	Jordan (Washington)	Pitts	Weldon
Desear	Kirkpatrick	Reeder	Winn
Edmundson	Lee	Ringer	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and sends same herewith to the House:

By Mr. Hines:

S. 300. To validate and legalize election heretofore held under the provisions of an Act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thir-

ty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities and under the provisions of Article 12 of an Act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc.," or any amendments thereto, or any subsequent Acts of the Legislature relating to special school tax elections.

Also:

By Mr. Carlton (With Notice and Proof) :

S. 372. To further amend an Act of the Legislature of Alabama entitled: "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,

Marengo County.

Notice is hereby given that a local bill will be introduced at the present session of the legislature of Alabama for the purpose of further amending an act of the legislature of Alabama entitled, "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of Marengo County," approved September 19, 1923, said bill being substantially in the following language:

A BILL

To be entitled an Act to further amend an act of the legislature of Alabama entitled "An Act to establish a Board of Revenue of said County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Be it enacted by the Legislature of Alabama:

Sec. 22. Accounts shall be opened and kept by the County Treasurer or County depository or bank in which the funds of said County are deposited, in such manner and such funds as the Board of Revenue of Marengo County Alabama may direct, disbursements to be made upon the order of the Board of Revenue of Marengo County, Alabama, and said Treasurer, depository or bank shall, on October 1 of each year, furnish to said Board of Revenue in writing, a full and detailed statement of the receipts and disbursements in each and every year to the close of business on September 30 of such year, and shall at the same time furnish said Board of Revenue with a full and detailed statement in writing, of the entire indebtedness of the County, of whatever kind and character, specifying particularly the amount of bonds outstanding, their character and when due; the amount of the outstanding warrants whether interest bearing or not, and if interest bearing,, the rate of interest, for what said warrants were issued and when due and payable.

Sec. 23. That the said Board of Revenue shall, on to-wit: October 1 of each year, make a publication in a newspaper published in Marengo County, a report showing the receipts and expenditures for said County, the sources from which received and the purposes for which expended, but said publication need not be an itemized report of such receipts and ex-

penditures or either. Said publication must also show the entire indebtedness of the County, of whatever kind and character specifying particularly the amount of bonds outstanding their character and when due; the amount of the outstanding warrants of said County, whether interest bearing or not, and if interest bearing, the rate of interest, for said warrants, when issued and when due and payable.

Sec. 24. That all laws and parts of laws in conflict with the provisions of this act, be and the same are, hereby repealed.

Sec. 25. That this act shall take effect immediately after its approval by the Governor.

N. G. Winn.

STATE OF ALABAMA,

Marengo County.

Before me, Rowena Barger, a Notary Public in and for said county and State, this day personally appeared E. S. Cornish, of Demopolis, Alabama, who is personally known to me, and who being by me first duly sworn, deposes and says:

That he is editor of the Demopolis Times, a weekly newspaper published regularly each week in the City of Demopolis, in Marengo county, Alabama; that the above and foregoing notice, "To further amend an act of the legislature of Alabama entitled "An Act to establish a Board of Revenue abolishment of the Court of County Commissioners of said County," approved September 19, 1923", as is set forth above, was regularly published, without cost to the State, once a week for four consecutive weeks in said the Demopolis Times, in said Marengo county, Alabama, beginning on and in the issue of said newspaper of June 2nd, 1927, and appearing in said newspaper regularly and consecutively on June 2nd, June 9th, June 16th and June 23rd, 1927.

Sworn to and subscribed before me this the 8th day of July, 1927.

E. S. Cornish.

Rowena Barger,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Privileges and Elections: S. 300.

Local Legislation, S. 372.

MOTION TO TAKE FROM ADVERS ECALENDAR

Mr. Johnson called up his motion to take H. 709 from the Adverse Calendar and place same on the regular calendar of the House and the motion to take the bill H. 709 from the adverse calendar was lost.

Yeas, 19; Nays, 52.

Yeas:

Messrs.:

Mr. Speaker
 Allen
 Baldwin
 Cannon
 Cook

Denson
 Edmundson
 Golson
 Grove
 Hightower

Johnson
 Martin
 Patterson
 Pegues
 Powell

Ringer
 Tunstall
 Waddell
 Ware

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Nays:

Messrs.:

Adcock
 Anderson
 Bartlett
 Beebe
 Brunson
 Bryant
 Burleson
 Burns
 Carter
 Cockrell
 Darden
 Deloney
 Desear

Edwards
 Frey
 Goode
 Goodwyn
 Guy
 Hampton
 Harwood
 Hawkins
 Howell
 Hubbard
 Hughes
 Jones (Bullock)
 Jones (Cleburne)

Jordan (Washington)
 Kirkpatrick
 Lawler
 Lee
 Matthews
 Merrill
 Miller (Marengo)
 Miller (Sumter)
 Molette
 Mullen
 Nipper
 Norman
 Pitts

Reeder
 Rogers (Mobile)
 Sanders (Conecuh)
 Sanders (Pike)
 Simpson
 Smith
 Stephens
 Stewart (Calhoun)
 Tompkins
 Vickers
 Ward (Geneva)
 Webb
 Weldon

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UNFINISHED BUSINESS

The House proceeded to the consideration of the unfinished business which was the bill:

(With amendment):

H. 368. "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Alabama; to provide for a Commissioner of Conservation and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation; to provide the purposes, powers, duties and authority of the Department of Conservation, and the Commissioner of Conservation; to provide for all officers, agents and employees in, under or connected with the Department of Conservation, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the State or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide

for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the Code, the machinery for handling or prosecuting cases arising under provisions of this Act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish and species of seafood, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

The question was upon the adoption of the amendment reported by the Standing Committee on Game, Fish and Fisheries, said Committee amendment being as follows:

Amend H. B. 368 by adding after the words "Department of Conservation" or "Commissioner of Conservation," wherever same appears in the caption or the body of the bill the following words "of Game, Fish and Seafood" and wherever "Commissioner of Conservation" appears add thereafter the words "of Game, Fish and Seafood."

Amend Section 103 so as to read as follows:

Section 103: Each and every person, firm or corporation licensed under the preceding Section whose business exceeds two thousand pounds per month shall on or before the tenth day of each month, furnish the Department of Conservation of Fish, Game and Fisheries with a statement duly sworn to by the person to whom such license is issued, or his or its authorized agent, setting forth and showing the number of pounds of fresh water

fish sold or shipped within the State or without the State by the person, firm or corporation making the report, during the next preceding month. Any person, firm or corporation that shall fail or refuse to make such report or statement herein required within the time and in the manner and name, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars, and in addition thereto the Commissioner of Conservation of Fish, Game and Fisheries may cancel his or its license to engage in the business of buying, selling or dealing in fish for a period of six months, and before said person, firm or corporation may again engage in such business he or it must procure a new license to do business in this State. The license fees provided in this Section shall be paid for on the basis of the greatest number of pounds of fish any such person, firm or corporation may have handled for sale or shipment during any one month of the fiscal year next preceding, commencing October first and ending September 30th following.

Amend Section 104 so as to read as follows:

Section 104. No person, firm or corporation engaging in the business provided for in the next preceding Sections shall catch, take or have in possession any Buffalo fish measuring less than fifteen inches in length from tip of nose to fork of tail, or fresh water cat fish measuring less than twelve inches from tip of nose to fork of tail, or paddle fish commonly called spoon billed cat weighing less than ten pounds in the rough. Any person who takes or catches any such fish shall immediately restore same to the waters from which taken without avoidable injury. Any fish possessed contrary to the provisions of this Section shall be confiscated by the Commissioner of Conservation, of Fish, Game and Fisheries, or any warden, agent or inspector of the Department of Conservation, of Fish, Game and Fisheries, or any Sheriff, deputy Sheriff or constable and disposed of under the rules and regulations promulgated by the Commissioner. This Section shall apply only to fish taken or caught from the public waters of this State.

Amend Section 127 so as to read as follows:

Section 127. It shall be unlawful for any person, firm or corporation to take or have in possession for use or sale, at any time, any blue fish, mackerel, red fish or speckled trout measuring less than ten inches in length from tip of nose to fork of tail; or any mullet measuring less than eight inches from tip or nose to fork of tail, or any pompano measuring less than six inches from tip of nose to fork of tail; or any sheep head measuring less than six inches from tip of nose to fork of tail; or any spots measuring less than four inches from tip of nose to fork of tail; or any drum measuring less than five inches from

tip of nose to fork of tail. This Section shall apply only to fish taken or caught from the public waters of this State.

Amend Section 102 so as to read as follows:

Section 102: That it shall be unlawful for any person, firm or corporation to engage in the business of buying, selling or dealing in fresh water fish without first procuring from the Department of Conservation an annual license and paying therefor a fee based on the following schedule:

Over two thousand pounds per month, \$2.50.

Three thousand pounds and less than ten thousand pounds per month \$5.00; ten thousand pounds and less than twenty thousand pounds per month \$15.00; twenty thousand pounds and less than thirty thousand pounds per month \$25.00; thirty thousand pounds and less than forty thousand pounds per month \$40.00; forty thousand pounds and less than fifty thousand pounds per month \$60.00; fifty thousand pounds and over \$100.00; any person buying or selling less than two thousand pounds per month shall not be considered a dealer under the provisions of this Section.

Amend Section 132 so as to read as follows:

Section 132: It shall be unlawful for any person, firm or corporation to engage in the business of buying, selling or dealing in salt water fish without first procuring from the Seafood Commission an annual license and paying therefor a fee based on the following schedule:

Over two thousand pounds per month \$2.50; three thousand pounds and less than ten thousand pounds per month \$5.00; ten thousand pounds and less than twenty thousand pounds per month \$15.00; twenty thousand pounds and less than thirty thousand pounds per month \$25.00; thirty thousand pounds and less than forty thousand pounds per month \$40.00; forty thousand pounds and less than fifty thousand pounds per month \$60.00; fifty thousand pounds per month and over \$100.00; any person buying or selling less than two thousand pounds per month shall not be considered a dealer under the provisions of this Section.

Amend Section 133 so as to read as follows:

Section 133. Each and every person, firm or corporation licensed under the preceding Section whose business exceeds two thousand pounds per month shall on or before the tenth day of each month furnish the Seafood Commission with a statement duly sworn to by the person, firm or corporation to whom such license is issued, or his or its duly authorized agent, setting forth and showing, the number of pounds of salt water fish sold or shipped within or without the State by the person, firm or corporation making the report, during the month preceding. Any person, firm or corporation that shall fail or refuse to make

such report or statement herein required within the time and in the manner prescribed shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars, nor more than two hundred dollars and in addition thereto the Seafood Commission may cancel his or its license to engage in the business of buying, selling or dealing in salt water fish for a period of six months, and before said person, firm or corporation may again engage in such business he or it must procure a new license to do business in this State. The license fees provided in the preceding Section shall be paid for on the basis of the greatest number of pounds of fish any such person, firm or corporation may have handled for sale or shipment during any one month of any fiscal year next preceding commencing October first and ending September 30th following.

Amend Section 134 so as to read as follows:

Section 134. Shrimp, oysters and other seafood, and devices for taking same. Any person, firm or corporation before he or it shall be permitted to engage in the taking, catching, packing, canning or possessing oysters and shrimp in the State of Alabama shall be required to procure an annual license or licenses, due and payable on the first day of October each year on the following basis or schedule; twenty-five dollars for each oyster dredge used or operated; twenty dollars for each dredge boat or other dredging craft having a capacity of less than five tons; thirty dollars for each dredge boat or other dredging craft having a capacity of five tons and less than ten tons; forty dollars for each dredge boat or other dredging craft having a capacity of over ten tons and less than fifteen tons; fifty dollars for each dredge boat or other dredging craft having a capacity of over fifteen tons; three dollars for each tonging boat or craft having a capacity of three tons and less; five dollars for each tonging boat or craft having a capacity of over three tons and less than five tons; ten dollars for each tonging boat or craft having a capacity of over five tons and less than ten tons; fifteen dollars for each tonging boat or craft having a capacity of over ten tons. Each individual or person before engaging in taking or catching oysters or shrimp, shall procure from the Seafood Commission a license for which a fee of one dollar shall be paid; and for each process kettle or substitute therefor in the canning and packing of oysters or shrimp, a privilege license tax of fifty dollars shall be paid; for each person, firm or corporation engaged in packing or canning oysters or shrimp a privilege license tax of twenty-five dollars shall be paid; for each person, firm or corporation engaged in buying, selling or dealing in raw oysters a privilege license tax of five dollars shall be paid, provided, however, that this provision shall not apply to any person whose business does not exceed two hundred and fifty gallons of oysters

per annum; for each person, firm or corporation engaged in the buying, selling or dealing in other seafoods except as otherwise provided in this Chapter, a privilege license tax of five dollars shall be paid; for each shrimp trawl or seine thirty feet long or under \$7.50 for each shrimp trawl or seine over thirty feet long and under three hundred feet long fifteen dollars; for each shrimp trawl or seine over three hundred feet long and under nine hundred feet long twenty-five dollars; for each shrimp trawl or seine over nine hundred feet long forty dollars; for each boat or craft used in taking or catching shrimp, the capacity of which is under five tons, seven dollars and fifty cents; for each boat or craft used in taking or catching shrimp the capacity of which is over five tons and under fifteen tons twenty-five dollars; for each boat or craft used in taking or catching shrimp the capacity of which is over fifteen tons forty dollars; for each boat or other conveyance used in carrying or transporting shrimp beyond the boundaries of this State a license fee of fifty dollars shall be paid by the person, firm or corporation operating same.

Amend House Bill 368 as follows:

Amend Section 94, by substituting the word "two" in lieu of the words "two and one-half" wherever the words "two and one-half" appear in said Section.

Amend Section 94, by substituting the following "Provided said fish traps and the wings thereof shall not prevent the passage of fish and canoes up and down said stream" in lieu of the following "provided any such fish traps together with wings of same shall not occupy more than one-half the width of the stream in which it is operated or located."

And the amendment, on motion of Mr. Jeter, was adopted.

Yeas, 62; Nays, 3.

Yeas:

Messrs:

Adcock	Goodwyn	Matthews	Sanders (Pike)
Allen	Grove	Miller (Marengo)	Sanderson
Anderson	Gullatt	Miller (Sumter)	Shivers
Ashcraft	Harwood	Monk	Simpson
Baldwin	Hightower	Morrow	Smith
Bartlett	Howard	Mullen	Starnes
Beebe	Howell	Owens	Stewart (Calhoun)
Brinson	Jeter	Parish	Thompson
Bryant	Johnson	Poole	Tompkins
Burns	Jones (Bullock)	Reeder	Vickers
Cockrell	Jones (Clebune)	Ringer	Waddell
Darden	Jordan (Etowah)	Rivers	Ward (Geneva)
Denson	Jordan (Washington)	Rogers (Elmore)	Ware
Edmundson	Kirkpatrick	Rogers (Mobile)	Webb
Edwards	Lee	Sanders (Conecuh)	Weldon
Goode	Martin		

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Nays:—Messrs. Cannon, Cook, Deloney.—3.

Mr. St. John moved to indefinitely postpone the bill H. 368 and pending amendments.

And on motion of Mr. Jeter the motion of Mr. St. John to indefinitely postpone the bill H. 368 and pending amendments was laid on the table.

Yeas, 67; Nays, 22.

Yeas:

Messrs:			
Adcock	Grove	Matthews	Sanders (Conecuh)
Allen	Guy	Miller (Marengo)	Sanders (Pike)
Ashcraft	Hampton	Miller (Sumter)	Sanderson
Bartlett	Hawkins	Molette	Simpson
Beebe	Hightower	Morrow	Smith
Brunson	Howell	Mullen	Starnes
Bryant	Hubbard	Owens	Stephens
Byars	Hughes	Parish	Stewart (Calhoun)
Cannon	Jeter	Pegues	Thompson
Christian	Jones (Cleburne)	Pitts	Vickers
Cockrell	Jordan (Etowah)	Poole	Waddell
Darden	Jordan (Washington)	Quillin	Ward (Geneva)
Denson	Kirkpatrick	Reeder	Ward (Tuscaloosa)
Desear	Langdon	Ringer	Ware
Frey	Lovelace	Rivers	Webb
Goode	McAdory	Rogers (Elmore)	Weldon
Goodwyn	Martin	Rogers (Mobile)	

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Nays:

Messrs.:			
Anderson	Cook	Hollis	Nipper
Baldwin	Deloney	Howard	Powell
Bartlett	Edmundson	Lee	Shepherd
Burleson	Edwards	Merrill	Tompkins
Burns	Green	Monk	Winn
Carter	Gullatt		

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Mr. Sanderson offered the following amendment to the bill.

That H. B. 368 be amended by striking from the 7th line of Sec. 53 by striking through the following words and figures: "Nov. 30th to the last day of Feb." and adding in lieu thereof the following words and figures: "November 20th to the 20th day of February".

And on motion of Mr. Darden the amendment offered by Mr. Sanderson was laid on the table.

Mr. Lee offered the following amendment to the bill:

Amend H. 368 by striking out of Section 53 immediately after the words "(bob-white, partridge)" the words "November 30th to the last day of February," and insert in lieu thereof the following: "November 11th to the first day of February."

And on motion of Mr. Waddell the amendment offered by Mr. Lee was laid on the table.

Mr. Grove offered the following amendment to the bill:

Amend Section 71 of House Bill 368 by adding after the words "Be charged for each tag" in line 18 the following: "It shall be unlawful for any person who has not been a bona fide resident of the State of Alabama for one year next previous to so doing, to trap, snare, or attempt to trap, snare or net, or take, capture, or kill, by any other means or device, for commercial purposes fur bearing animals. Proof of such residence shall be furnished by applicant for license before issuance of same."

Amend Section 78 of House Bill 368 by adding thereto the following: "Any itinerant or non-resident dealer shall pay an annual license of three hundred dollars. By non-resident is meant any person who has not lived in the State for one year next prior to the term when the license was due, and in cases where the question of residence is involved, the burden of proving the required residence shall be on the defendant."

Amend Section 98, House Bill 368, by adding after the words "In this State", in line 15, the following "Except bays and rivers flowing into the head of Mobile Bay south of that portion of Cochran Bridge, or Highway extending from the east side of Blakely Island to the highland near Spanish Fort in Baldwin County.

Amend Section 111 of House Bill 368 by striking out the words "To provide quarters for the office of said commission" in the second line of said section and substitute therefor the following: "To secure quarters for the office of said commission, which shall be provided and furnished in the court house of Mobile County by the Board of Revenue and Road Commissioners of said County."

Amend Section 114 of House Bill 368 so as it shall read as follows "Section 114, Non-Residents not to take Sea food. It shall be unlawful and constitute a misdemeanor for any person not a bona fide resident of the State of Alabama, to catch or take, or attempt to catch or take any oysters, salt water shrimp, or any other sea food, within the State of Alabama, or from waters within the territorial jurisdiction of this State by the use of any seine, trawl, or other like device. In all questions arising as to residents under this chapter, the burden of proof shall rest on the defendant, and upon conviction for violation of provisions of this section, he shall be punished as herein provided.

Amend Section 118 of House Bill 368 by adding at the end thereof the following: "such dredges may be used for taking or catching oysters, except southward or westward of a line drawn from Kings Bayou near Alabama Port in Mobile County to the east end of Dauphin Island, which line the commission shall keep marked with stakes or buoys."

Amend Section 119 of House Bill 368 so that the same shall read as follows: Section 119. Shipping out of the State. It shall be unlawful to export from this State any salt water shrimp, except those cooked and canned in this State, and except row shrimp shucked, packed and iced for row trade. Any person, firm or corporation convicted for violating this section shall be guilty of a misdemeanor and on conviction punished by fine of not less than 50 nor more than 100 dollars.

Amend Section 135 so as to read as follows: Section 135: Per barrel tax on shrimp. It shall be unlawful for any person firm or corporation to take, catch, or market salt water shrimp for commercial purposes, that is for canning drying or shipping unless a tax of twelve cents per barrel be paid by such person, firm or corporation catching canning or marketing same or purchasing the same from independent fishermen.

Amend Section 136 to read as follows: Section 136. Tax per barrel on oysters. All oysters taken from the public reefs or caught or taken from the public oyster bottoms of this State for sale shall be paid for at the following rate and in the following manner: five cents per barrel for all oysters sold to or used by dealers or factories in this State, and in addition thereto twenty-five per cent of the shells of oysters taken from the public reefs of this State shall be set apart at the place where same are opened or at a port of entry to be designated by the sea food commission and delivered to the Sea Food Commission or its duly authorized agent by the person firm or corporation buying or receiving the same—said shells to be used by the State for planting in depleted oyster areas or barren bottoms.

And the amendment offered by Mr. Grove to the bill H. 368 was adopted.

Yeas, 65; Nays, 1.

Yeas:

Messrs.:

Adcock	Edwards	Langdon	Rivers
Allen	Frey	Matthews	Rogers (Elmore)
Ashcraft	Goode	Merrill	Rogers (Mobile)
Baldwin	Goodwyn	Miller (Marengo)	Sanders (Conecuh)
Bartlett	Grove	Miller (Sumter)	Sanders (Pike)
Beebe	Gullatt	Molette	Sanderson
Brunson	Hampton	Monk	Shepherd
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Mullen	Starnes
Burns	Howard	Norman	Stephens
Byars	Howell	Owens	Stewart (Calhoun)
Carter	Hughes	Parish	Thompson
Cockrell	Jeter	Patterson	Tompkins
Darden	Jones (Cleburne)	Pegues	Vickers
Denson	Jordan (Etowah)	Quillin	Ware
Desear	Jordan (Washington)	Reeder	Webb
Edmundson			

Nay:—Mr. Cannon.1.

Mr. Ware offered the following amendment to the bill
Amend House Bill 368 by striking section forty one (41)
from said bill.

Mr. Jeter moved to table the amendment offered by Mr. Ware
and the motion to table prevailed.

Yeas, 44; Nays, 34.

Yeas:

Messrs:			
Ashcraft	Hightower	Molette	Rogers (Elmore)
Bartlett	Howell	Morrow	Rogers (Mobile)
Beebe	Hughes	Moxley	Sanders (Conecuh)
Burleson	Jeter	Mullen	Shivers
Darden	Jordan (Washington)	Norman	Simpson
Denson	Lovelace	Owens	Smith
Desear	Martin	Parish	Starnes
Edmundson	Matthews	Patterson	Stewart (Calhoun)
Goode	Merrill	Poole	Vickers
Grove	Miller (Marengo)	Reeder	Waddell
Guy	Miller (Sumter)	Rivers	Ward (Geneva)

—44

Nays:

Messrs:			
Adcock	Christian	Hubbard	Sanders (Pike)
Allen	Cockrell	Jones (Clebune)	Sanderson
Baldwin	Cook	Lee	Stephens
Brunson	Deloney	Monk	Stewart (Bibb)
Bryant	Edwards	Pegues	Tompkins
Burns	Goodwyn	Powell	Ware
Byars	Green	Quillin	Webb
Cannon	Gullatt	Ringer	Winn
Carter	Howard		

—34

Mr. Beebe offered the following amendment to the bill:
Amend House Bill 368 by adding Section 174½. The provisions of this Code as to size of mesh shall not apply to dip nets or cast nets used to catch bait.

And the amendment offered by Mr. Beebe was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Allen	Cannon	Goode	Howell
Anderson	Christian	Goodwyn	Jeter
Ashcraft	Cockrell	Green	Johnson
Baldwin	Cook	Grove	Jones (Clebune)
Bartlett	Darden	Gullatt	Jordan (Etowah)
Beebe	Deloney	Harwood	Kirkpatrick
Brunson	Denson	Hawkins	Lee
Bryant	Desear	Hightower	Lovelace
Burns	Edmundson	Hollis	Martin
Byars	Edwards	Howard	Matthews

Merrill	Mullen	Poole	Rogers (Mobile)
Miller (Marengo)	Nipper	Quillin	Sanderson
Miller (Sumter)	Owens	Reeder	Starnes
Molette	Parish	Ringer	Stewart (Calhoun)
Monk	Patterson	Rivers	Waddell
Morrow	Pegues	Rogers (Elmore)	Ward (Geneva)
Moxley			

—65

Mr. Carter offered the following amendment to the bill.

Amend H. B. 368, Sec. 53, line 7, by striking out therefrom the words "Nov. 30 to the last day of Feb. following," and insert in lieu thereof the following words, "Nov. 21 to the last day of Feb. following."

Mr. Darden moved to table the amendment offered by Mr. Carter and the motion to table was lost.

Yeas, 37; Nays, 52.

Yeas:

Messrs:			
Adcock	Edmundson	Jeter	Owens
Ashcraft	Frey	Johnson	Reeder
Bartlett	Goode	Jones (Clebune)	Ringer
Brunson	Harwood	Langdon	Rivers
Bryant	Hawkins	Lovelace	Rogers (Elmore)
Burleson	Hightower	McAdory	Sanders (Conecuh)
Byars	Howell	Molette	Sanders (Pike)
Darden	Hubbard	Morrow	Stewart (Calhoun)
Denson	Hughes	Mullen	Waddell
Desear			

—37

Nays:

Messrs.:			
Mr. Speaker	Goodwyn	Matthews	Rogers (Mobile)
Allen	Green	Merrill	Sanderson
Anderson	Gullatt	Miller (Marengo)	Shivers
Baldwin	Guy	Miller (Sumter)	Simpson
Beebe	Hampton	Monk	Smitr
Burns	Howard	Moxley	Stephens
Cannon	Jones (Bullock)	Nipper	Stewart (Bibb)
Carter	Jordan (Etowah)	Norman	Tompkins
Christian	Jordan (Washington)	Parish	Tunstall
Cockrell	Kirkpatrick	Patterson	Vickers
Cook	Lawler	Pegues	Ward (Geneva)
Edwards	Lee	Pitts	Ware
Golson	Martin	Quillin	Webb

—52

And the amendment offered by Mr. Carter to the bill H. 368 was adopted.

Yeas, 58; Nays, 14.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	McAdory	Reeder
Adcock	Edwards	Martin	Ringer
Allen	Golson	Matthews	Rogers (Mobile)
Anderson	Goodwyn	Merrill	Sanders (Conecuh)
Ashcraft	Green	Miller (Marengo)	Sanders (Pike)
Baldwin	Gullatt	Miller (Sumter)	Sanderson
Beebe	Guy	Monk	Smith
Brunson	Hampton	Moxley	Stewart (Bibb)
Burleson	Hawkins	Nipper	Tompkins
Burns	Howard	Owens	Vickers
Cannon	Jordan (Etowah)	Patterson	Ward (Geneva)
Carter	Jordan (Washington)	Pegues	Ware
Christian	Kirkpatrick	Poole	Webb
Cockrell	Lee	Quillin	Weldon
Cook	Lovelace		

—58

Nays:

Messrs:

Bartlett	Goode	Molette	Simpson
Bryant	Hightower	Mullen	Stewart (Calhoun)
Darden	Howell	Rogers (Elmore)	Waddell
Desear	Jones (Cleburne)		

—14

Mr. Harwood offered the following amendment to the bill:

Amend H. B. 368, Sec. 59, lines 4 and 5, by striking therefrom the words, "or any male deer having spikes or antlers less than six inches in length."

And the amendment offered by Mr. Harwood was adopted.

Yeas, 50; Nays, 9.

Yeas:

Messrs.:

Adcock	Cockrell	Lovelace	Simpson
Allen	Cook	Matthews	Smith
Anderson	Deloney	Merrill	Stephens
Baldwin	Denson	Miller (Marengo)	Stewart (Bibb)
Bartlett	Edmundson	Miller (Sumter)	Stewart (Calhoun)
Beebe	Edwards	Monk	Tompkins
Bryant	Frey	Moxley	Tunstall
Burleson	Goodwyn	Patterson	Vickers
Burns	Gullatt	Poole	Ward (Geneva)
Byars	Harwood	Quillin	Ware
Cannon	Howard	Sanders (Conecuh)	Webb
Carter	Jordan (Etowah)	Sanderson	Weldon
Christian	Lee		

—50

Nays:

Messrs.:

Brunson	Grove	Howell	Jordan (Washington)
Darden	Hightower	Jones (Cleburne)	Reeder
Goode			

—9

Mr. Powell offered the following amendment to the bill:

Amend H. B. 368 by striking therefrom Sec. 149 on page 56 of printed bill.

Further amend the bill by striking therefrom Sec. 7, page 4 of printed bill.

Further amend the bill by striking therefrom Sec. 10 on page 6 of printed bill.

Further amend the bill by striking therefrom Sec. 36 on page 14 of printed bill.

And on motion of Mr. Jeter the amendment offered by Mr. Powell to the bill H. 368 was laid on the table.

Mr. Monk offered the following amendment to the bill

Amend H. B. 368 by inserting the clause: Provided that no license will be required of any person to fish with hook and line in the county of his residence.

And on motion of Mr. Jeter the amendment offered by Mr. Monk to the bill H. 368 was laid on the table.

Mr. Darden offered the following amendment to the bill:

Amend H. 368, Sec. 53, line 7, by striking out the words "last day of February," and substitute therefor the words "February 15th."

And on motion of Mr. Jeter the amendment offered by Mr. Darden was laid on the table.

Mr. Powell moved to indefinitely postpone H. 368 and the motion to indefinitely postpone was lost.

Yeas, 9; Nays, 67.

Nays:

Messrs.:

Baldwin	Hollis	Powell	Rivers
Cannon	Monk	Quillin	Stephens
Christian			

—9

Nays:

Messrs.:

Mr. Speaker	Edmundson	Jones (Cleburne)	Patterson
Adcock	Frey	Jordan (Etowah)	Poole
Allen	Goode	Jordan (Washington)	Reeder
Anderson	Goodwyn	Kirkpatrick	Ringer
Ashcraft	Green	Lovelace	Rogers (Mobile)
Bartlett	Grove	McAdory	Sanders (Conecuh)
Beebe	Guy	Martin	Sanders (Pike)
Brunson	Hampton	Matthews	Sanderson
Bryant	Harwood	Merrill	Simpson
Burleson	Hawkins	Miller (Sumter)	Starnes
Burns	Hightower	Molette	Stewart (Calhoun)
Carter	Howard	Moxley	Thompson
Cockrell	Howell	Mullen	Tompkins
Cook	Hubbard	Nipper	Ward (Tuscaloosa)
Darden	Hughes	Norman	Ware
Denson	Jeter	Owens	Webb
Desear	Johnson	Parish	

—67

And the bill:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Alabama; to provide for a Commissioner of Conservation and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation; to provide the purposes, powers, duties and authority of the Department of Conservation, and the Commissioner of Conservation; to provide for all officers, agents and employees in, under or connected with the Department of Conservation, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the state or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish, and species of seafood, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation, sheriffs,

solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

As amended was read a third time at length and passed.

Yeas, 55; Nays, 24.

Yeas:

Messrs.:

Allen	Guy	Lovelace	Rogers (Elmore)
Ashcraft	Hampton	McAdory	Rogers (Mobile)
Bartlett	Harwood	Martin	Sanders (Conecuh)
Beebe	Hawkins	Matthews	Sanders (Pike)
Brunson	Hightower	Merrill	Sanderson
Burns	Howell	Miller (Sumter)	Shivers
Carter	Hubbard	Molette	Simpson
Darden	Hughes	Moxley	Starnes
Denson	Jeter	Mullen	Stewart (Calhoun)
Desear	Johnson	Parish	Vickers
Edmundson	Jones (Cleburne)	Patterson	Waddell
Frey	Jordan (Etowah)	Poole	Ward (Geneva)
Goode	Jordan (Washington)	Reeder	Webb
Grove	Kirkpatrick	Ringer	

—55

Nays:

Messrs.:

Adcock	Christian	Hollis	Rivers
Anderson	Cockrell	Howard	Stephens
Baldwin	Cook	Monk	Thompson
Bryant	Deloney	Nipper	Tompkins
Burleson	Edwards	Powell	Tunstall
Cannon	Goodwyn	Quillin	Ware

—24

Mr. Jeter moved to reconsider the vote by which the bill H. 368 was passed and then moved to lay that motion on the table, and the motion to table prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Resolution, your signature thereto is requested:

S. J. R. 65. Relative to extending through the governor an invitation to Col. Lindberg to visit our great State on his southern tour.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the resolution:

H. J. R. 112 Relative to extending an invitation to Hon. R. V. Taylor to address a joint meeting of the House and the Senate next Thursday, July 28th, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted:

H. J. R. 115: Relative to a Committee of the two houses to notify Hon. R. V. Taylor of the invitation to address a joint session of the two houses on Thursday, July 28th, 1927.

And the President of the Senate has appointed as a Committee on the part of the Senate Messrs. Craft and Brown.

And returns same herewith to the House.

J. E. Speight,
Secretary.

APPOINTMENT OF COMMITTEE

The Speaker named as the Committee on the part of the House in accordance with the H. J. R. 115 Messrs. Miller of Sumter, Merrill, and Waddell.

MESSAGE FROM SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 619. To amend Section 5 of an Act approved Sept. 29th 1919 entitled, an act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide

for the length of time which he shall hold office, so that Section 5 as amended shall read as follows:

H. 679. To amend Section 10361 of the Code of Alabama of 1923.

H. 678. To amend Section 10362 of the Code of Alabama of 1923.

H. 599. To permit State officers to reduce the number of copies of their official reports, when printed.

H. 379. A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature, an amendment to the Constitution of the State of Alabama whereby the municipal corporation of Citronelle, in the State of Alabama, may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or special election called for that purpose, become indebted in an amount, over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto to incur, not exceeding four per centum of the assessed value of the property therein.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and action at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature. The proposed amendment is as follows:

The town of Citronelle may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or special election called for that purpose, become indebted in an amount, over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto, to incur, not exceeding four per centum of the assessed value of the property therein. In calculating the indebtedness of said town, there shall not be included any classes of indebtedness which are not included in other provisions of the Constitution limiting the indebtedness of said town. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For an increase

of the indebtedness of the town of Citronelle, in the sum of \$....." and "Against an increase of the indebtedness of the town of Citronelle, in the sum of \$....." The amount of increased indebtedness proposed shall be shown in the blank space provided therefor. And the voter shall record his choice, whether for or against the increase in indebtedness of the town of Citronelle, by placing a cross-mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the incurring of such additional indebtedness may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to determine whether there shall be an increase in the indebtedness of the municipality, in a certain amount, and such proposition is defeated, no second election for the same purpose and submitting a proposition of increasing the indebtedness of said town in the same amount shall be held in one year thereafter.

Section 2. That notice of the election hereby ordered, together with a copy of the amendment hereby proposed shall be given by a proclamation of the Governor, which shall be published in one newspaper in each county in the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of said notices shall be paid out of the State Treasury in the same manner as expenses of other elections are paid.

H. 629. A Bill to be Entitled an Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the City of Mobile, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, to levy and collect annually an additional tax on the property situated therein, for general municipal purposes, not to exceed that portion of the three-fourths of one per centum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, provided that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized thereby; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second

Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 1. Be it Enacted by the Legislature of Alabama that the following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified voters of the state upon such proposed amendment, to be held on the second Tuesday after the expiration of three months after the date of the final adjournment of the present Legislature, at which said amendment shall be voted upon. The proposed amendment is as follows:

"The City of Mobile, Alabama, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, may levy and collect annually an additional tax on the property situated therein for general municipal purposes not to exceed that portion of the three-fourths of one percentum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt; provided, that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized hereby."

Section 2. It is ordered by the Legislature that an election by the qualified electors of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

H. 559. To grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all building, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or

factory, upon any or all of the following described property: The Southwest quarter (SW $\frac{1}{4}$), the West half of the Southeast quarter (W $\frac{1}{2}$ of SE $\frac{1}{4}$), the southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$), and the South half of the Northwest quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section Thirteen (13), the Southeast quarter (SE $\frac{1}{4}$) and the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section fourteen (14), the Northeast quarter (NE $\frac{1}{4}$) of the North half of the Southeast quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Twenty-three (23) and the West half (W $\frac{1}{2}$) and the West half of the East half (W $\frac{1}{2}$ of E $\frac{1}{2}$) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

H. 221. To create the office of County Solicitor for Lawrence County, Alabama, by the qualified voters of said county, to prescribe his powers, duties and qualifications, to provide for his compensation and fix the term of his office, to provide for his election and for the election of his successor and to repeal all General and local laws in conflict with the provisions of this Act in so far as they relate to said Lawrence County.

H. 257. To create a fund to be used by the sheriff of each county in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

H. 425. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette County, Alabama; to define the duties and powers of the Court of County Commissioners, or other governing body of Fayette County with regard to the same; to fix penalties for the violations of the rules, regulations and laws of the Court of County Commissioners, or other like governing body of said County; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette County, Alabama; to provide for the appointment of road foreman in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

H. 455. For the relief of David W. W. Fuller of Montgomery County for special services rendered said county.

H. 558. To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factor for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter ($SW\frac{1}{4}$), the West half of the Southeast quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$), the Southwest quarter of the Northeast quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$), and the South half of the Northwest quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section Thirteen (13), the Southeast quarter ($SE\frac{1}{4}$) and the Southeast quarter of the Northeast quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Fourteen (14), the Northeast quarter ($NE\frac{1}{4}$) and the North half of the Southeast quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$) of Section Twenty-three (23) and the West half ($W\frac{1}{2}$) and the West half of the East half ($W\frac{1}{2}$ of $E\frac{1}{2}$) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

H. 560. To vacate and abolish as a public street or highway and to annul and extinguish all dedications as a public street or highway of that part of Eighth Avenue according to the map of North Birmingham Land Company recorded in Map Book 1, at page 111 in the Probate office of Jefferson County, Alabama, (said Eighth avenue now being sometimes known and referred to as 28th Avenue north in the City of Birmingham, Jefferson County, Alabama, lying between the westerly boundary line of Fourth street according to said map (said Fourth street now being sometimes known and referred to as 26th street in said City) and the easterly boundary line of Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and that portion of said avenue lying between the westerly boundary line of said Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and the easterly boundary line of sixth street according to said map (said sixth street being now sometimes known and referred to as 24th street in said City).

H. 621. To validate the proceedings of the Town Council of the Town of Fayette, Alabama, held on May 16th, 1927 authorizing the Mayor of said Town to convey by warranty deed to William M. Cannon, for and on behalf of the said Town the following described lands and to legalize, validate and confirm deed executed on the 17th day of May, 1927, conveying the said described lot or parcel of land to the said William M. Cannon: A certain

strip of land situated in the Town of Fayette, State of Alabama, bounded as follows: on the east by Traylor Street or Old Tuscaloosa or Carrollton Road, West by Block 6, south by southern R. R. Right of way, on the north by Block 6, and on west by Foreacre street or Johnson Park, according to the James' Survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 12:55 P. M. on July 26, 1927.

H. 346.

H. 347.

H. 589.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Goode the House, in accordance with a Senate Joint Resolution heretofore adopted, adjourned until Thursday July 28th, 1927 at ten o'clock A. M.

THIRTY-SEVENTH DAY.

House of Representatives,
Montgomery, Alabama,
Thursday, July 28th, 1927.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Dr. Hollis of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Green	Matthews	Sanders (Conecuh)
Ashcraft	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Cartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Delcney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace		

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A quorum was present.

JOURNAL.

The Chairman of the Standing Committee on Revision of the Journal, made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE
JOURNAL

Mr. Speaker:

Your Standing Committee on Revision of the Journal, begs leave to report that said committee has carefully examined the Journal of the House for the 36th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 36th legislative day was approved.

Mr. Waddell, presiding, directed the Clerk to read the following notices in writing given on the last Legislative day by Mr. Tompkins:

NOTICE OF INTENTION TO AMEND HOUSE RULE. NO. 13.

Notice is hereby given under Rule No. 52 of the House that on the next legislative day I will make the following motion to amend Rule No. 13 of the House:

I move that Rule No. 13 of the House be amended so as to read as follows:

Any member may call for a division of the question when the sense will admit of it, and if the Speaker fails or refuses to recognize the call for division, or if he fails or refuses to grant a division, then any member of the House has authority to rise and put the question and have the members of the House divide on the question and appoint tellers to count the vote on such division, and to have said vote recorded by the clerk of the House.

NOTICE OF INTENTION TO AMEND HOUSE RULE NO. 23.

Notice is hereby given under Rule No. 52 of the House that on the next legislative day, I will make the following motion to amend Rule No. 23 of the House:

I move that Rule No. 23 of the House be amended so as to read as follows:

All resolutions, before they are voted on, shall be referred to and reported from the Committee on Rules, but the Committee on Rules shall not have authority to frame and report a Resolution, except by unanimous consent of the House, which consent must be given before a rule framed and reported by the Committee on Rules is voted upon, and the Committee on Rules, on one days' notice by a majority vote of a quorum of the House, may be required to report on any resolution which has been referred to it.

Mr. Long, (Mr. Waddell, presiding as Speaker), moved that the notices in writing heretofore given by Mr. Tompkins, to amend Rules 13 and 23 of the House be expunged from the records of the House.

And the motion of Mr. Long prevailed.

Yeas, 86; nays, 11.

Yeas:

Messrs:

Mr. Speaker	Goode	McAdory	Rogers (Mobile)
Adcock	Goodwyn	Martin	St. John
Allen	Graves	Matthews	Sanders (Concuh)
Ashcraft	Green	Merrill	Sanderson
Baldwin	Grove	Miller (Marengo)	Shepherd
Bartlett	Gullatt	Miller (Sumter)	Shivers
Beebe	Guy	Morrow	Simpson
Brunson	Hampton	Moxley	Smith
Burns	Harwood	Mullen	Starnes
Byars	Hawkins	Owens	Stephens
Carter	Hightower	Parish	Stewart (Calhoun)
Christian	Hughes	Patterson	Thompson
Cockrell	Jeter	Pitts	Tompkins
Cook	Johnson	Poole	Tunstall
Darden	Jordan (Etowah)	Powell	Vickers
Deloney	Jordan (Washington)	Quillin	Waddell
Denson	Kirkpatrick	Rankin	Ward (Tuscaloosa)
Desear	Langdon	Reeder	Ware
Edmundson	Lawler	Ringer	Webb
Edwards	Lee	Rivers	Weldon
Frey	Lovelace	Rogers (Elmore)	Winn
Golson	Luck		

—86

Nays:

Messrs:

Anderson	Cannon	Jones (Bullock)	Nipper
Bryant	Hollis	Jones (Clebune)	Ward (Geneva)
Burleson	Howard	Monk	

—11

Mr. Tompkins moved to reconsider the vote by which the motion of Mr. Long to expunge from the records the notices in writing heretofore given by Mr. Tompkins was adopted. Mr. Long moved to table the motion to reconsider and the motion to table prevailed.

Yeas, 86; nays, 3.

Yeas:

Messrs:

Mr. Speaker	Bryant	Cook	Goode
Allen	Burleson	Darden	Goodwyn
Anderson	Burns	Deloney	Graves
Baldwin	Byars	Denson	Green
Bartlett	Carter	Edmundson	Grove
Beebe	Christian	Edwards	Gullatt
Brunson	Cockrell	Golson	Guy

Hampton	Lee	Patterson	Smith
Harwood	Lovelace	Pitts	Starnes
Hightower	Luck	Poole	Stephens
Howard	McAdory	Powell	Stewart (Calhoun)
Hubbard	Martin	Quillin	Tompkins
Hughes	Matthews	Rankin	Tunstall
Jeter	Merrill	Reeder	Vickers
Johnson	Miller (Marengo)	Ringer	Waddell
Jones (Bullock)	Miller (Sumter)	Rivers	Ward (Geneva)
Jones (Cleburne)	Monk	Rogers (Mobile)	Ward (Tuscaloosa)
Jordan (Etowah)	Morrow	St. John	Ware
Jordan (Washington)	Moxley	Sanders (Conecuh)	Webb
Kirkpatrick	Mullen	Shepherd	Weldon
Langdon	Owens	Simpson	Winn
Lawler	Parish		

—86

Nays:

Messrs.:

Cannon

Hollis

Nipper

—3

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Rules Committee:

S. J. R. 69. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, the 29th.

And sends same herewith to the House.

J. E. Speight,
Secretaryv.

SENATE MESSAGE.

The Senate Joint Resolution, set out in the above and foregoing message from the Senate, was on motion of Mr. Goode, concurred in and adopted.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolutions:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards

of the State, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties juvenile and domestic relations courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency, neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an advisory board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

Also:

H. 679. To amend Section 10361 of the Code of Alabama of 1923.

Also:

H. 678. To amend Section 10362 of the Code of Alabama of 1923.

Also:

H. 619. To amend Section 5 of an Act approved Sept. 29th, 1919 entitled, an act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide

for his election by the qualified electors of said county; to prescribe his qualifications and duties and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that Section 5 as amended shall read as follows:

Also:

H. 599. To permit State officers to reduce the number of copies of their official reports, when printed.

Also:

H. 379. To provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature, an amendment to the Constitution of the State of Alabama whereby the municipal corporation of Citronelle, in the State of Alabama, may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or a special election called for that purpose, become indebted in an amount, over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto incur, not exceeding four per centum of the assessed value of the property therein.

Also:

H. 629. A bill to be entitled an act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the City of Mobile, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, to levy and collect annually an additional tax on the property situated therein, for general municipal purposes, not to exceed that portion of the three-fourths of one per centum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, provided that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized thereby; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Also:

H. 221. To create the office of County Solicitor for Lawrence County, Alabama, by the qualified voters of said county, to pre-

scribe his powers, duties and qualifications, to provide for his compensation and fix the term of his office, to provide for his election and for the election of his successor and to repeal all general and local laws in conflict with the provisions of this Act in so far as they relate to said Lawrence County.

Also:

H. 559. To grant to Hercules Powder Company, its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The southwest quarter (SW $\frac{1}{4}$), the west half of the southeast quarter (W $\frac{1}{2}$ of SE $\frac{1}{4}$), the southwest quarter of the northeast quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$), and the south half of the northwest quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section thirteen (13), the southeast quarter (SE $\frac{1}{4}$) and the southeast quarter of the northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section fourteen (14), the northeast quarter (NE $\frac{1}{4}$) and the north half of the southeast quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section twenty-three (23) and the west half (W $\frac{1}{2}$) and the west half of the east half (W $\frac{1}{2}$ of E $\frac{1}{2}$) of Section twenty-four (24), all in Township nineteen (19) south, Range five (5) west, Jefferson County, Alabama.

Also:

H. 257. To create a fund to be used by the sheriff of each county in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

Also:

H. 425. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette County, Alabama, to define the duties and powers of the Court of County Commissioners; of other governing body of Fayette County, with regard to the same, to fix penalties for the violations of the rules, regulations and laws of the Court of County Commissioners, or other like governing body of said County; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette County, Alabama; to provide for the appointment of road foreman in the several pre-

cincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

Also:

H. 455. For the relief of David W. W. Fuller of Montgomery County for special services rendered said county.

Also:

H. 558. To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factory for the manufacture and storage of power, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The southwest quarter (SW $\frac{1}{4}$), the west half of the southeast quarter (W $\frac{1}{2}$ of SE $\frac{1}{4}$), the southwest quarter of the northeast quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$), and the south half of the northwest quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section thirteen (13), the southeast quarter (SE $\frac{1}{4}$) and the southeast quarter of the northeast quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section fourteen (14), the northeast quarter (NE $\frac{1}{4}$) and the north half of the southeast quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section twenty-three (23) and the west half (W $\frac{1}{2}$) and the west half of the east half (W $\frac{1}{2}$ of E $\frac{1}{2}$) of Section twenty-four (24), all in Township nineteen (19) south, Range five (5) west, Jefferson County Alabama.

Also:

H. 560. To vacate and abolish as a public street or highway and to annul and extinguish all dedications as a public street or highway of that part of Eighth Avenue according to the map of North Birmingham Land Company recorded in Map Book 1, at page 111 in the Probate office of Jefferson County, Alabama, (said eighth avenue now being sometimes known and referred to as 28th Avenue north in the City of Birmingham, Jefferson County, Alabama), lying between the westerly boundary line of Fourth street according to said map (said Fourth street now being sometimes known and referred to as 26th street in said city) and the easterly boundary line of Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and that portion of said avenue lying between the westerly boundary line of said Fifth street ac-

according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and the easterly boundary line of sixth street according to said map (said sixth street being now sometimes known and referred to as 24th street in said City.)

Also:

H. 621. To validate the proceedings of the Town Council of the Town of Fayette, Alabama, held on May 16th, 1927, authorizing the mayor of said town to convey by warranty deed to William M. Cannon, for and on behalf of the said town the following described lands and to legalize, validate and confirm deed executed on the 17th day of May, 1927, conveying the said described lot or parcel of land to the said William M. Cannon: A certain strip of land situated in the town of Fayette, State of Alabama, bounded as follows: on the east by Traylor Street or Old Tuscaloosa or Carrollton Road, west by Block 6, south by Southern R. R. right of way, on the north by Block 6, and on west by Foreacre Street or Johnson Park, according to the James' survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama.

Also:

H. J. R. 112. Extending an invitation to Honorable R. V. Taylor to address a joint meeting of the House and Senate Thursday, July 28th, 1927.

Also:

H. J. R. 115. Providing for the appointment of a committee of five, to extend an invitation to Hon. R. V. Taylor to address a Joint Session of the House and Senate on Thursday, July 28th, 1927.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTIONS.

The following Resolutions were introduced:

By Mr. Merrill:

H. R. 120. Resolved that House Bill as follows be made a special paramount continuing order for the 37th legislative day:

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, and to provide for the salary of said judge.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Baldwin:

H. R. 121. Resolved that the following Senate Bills be made the special paramount and continuing order for the 37th legislative day:

S. 259. To amend Section 2 of the Code of 1923.

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama of 1923, all relating to the public health of Alabama.

S. 256. To repeal Sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

By Mr. Simpson:

H. R. 122. Be it resolved by the House of Representatives that the following bills and they are hereby made special paramount and continuing orders on the Calendar of the House in the order named, for 37th Legislative Day, immediately after reports of Standing Committees, viz:

H. 476. To amend Section 3869 of the Code (making is possible to prosecute for depredations on a cemetery without proving the cemetery was "enclosed.")

H. 490. To amend Section 6248 of the Code (further defining and regulating the practice of law and prohibiting same by persons not properly qualified.)

H. 495. To amend Section 10288 of the Code (fixing salaries of the Supreme Court.)

H. 483. To amend Section 7327 of the Code (fixing the salary of the Court of Appeals.)

H. 497. To amend Section 6702 of the Code (to fix the salaries of Circuit Judges.)

H. 530. To repeal Section 7206 of the Code (An unconstitutional Section covering ownerships of stock by foreign corporations.)

H. 142. To further amend the Act establishing an Inferior Criminal Court for Jefferson County (Abernathy's Court) approved September 10th, 1919, and the Acts amending same.

H. 485. To amend Section 7918 of Code (regulating homestead rights of widows and minors.)

H. 486. To amend Section 7951 of Code (further regulating homestead rights of widows and minors.)

H. 492. To amend Section 7920 of Code (further regulating homestead rights of widows and minors.)

H. 494. To amend Section 494 of Code (further regulating homestead rights of widows and minors.)

H. 143. To appropriate \$2,500.00 for the relief of Perry J. Coyle injured while in the service of the Alabama National Guard in line of duty.

H. 479. To amend Section 7209 of Code (making revocation of corporate agency for purposes of service irrevocable until all liabilities settled by foreign corporations.)

H. 496. To amend Section 6574 of Code (extending the right of oral examination in equity trials.)

H. 139. To amend Section 6982 of Code (regulating the amendment of articles of incorporation.)

H. 623. To amend Section 7012 of Code (relative to non-par value corporate stock.)

S. 175. To prohibit the fraudulent use of slugs, metal discs, etc., in slot vending machines, prepay telephones, etc.

H. 197. Establishing certain cooperative credit associations among groups of persons known as Credit Unions.

H. 365. To repeal Section 9519 of Code (which Section now prohibits more than two new trials.)

H. 478. To amend Section 6129 of Code (accelerating the return day of appeal cases.)

H. 480. To amend Sections 10293 and 10300 of Code (referring to certain duties of the Chief Justice of Supreme Court.)

H. 481. To amend Section 10306 of Code (fixing salary of Secretary of Supreme Court.)

H. 488. Regulating the introduction of evidence and eliminating certain artificial rules of objection, exception, ec.

H. 493. To amend Section 865 of Code (fixing amount to be spent by the Attorney General at not over \$7,500.00) for certain kinds of crime investigation.)

H. 511. To amend Section 5619 of Code (regulating the subpoenaing of witnesses in certain classes of cases.)

H. 513. To amend Section 8025 of Code (fixing the time within which appeal bonds must be filed in certain classes of cases affecting trial of title to lands.)

H. 502. To amend Section 6996 of Code (making more definite the laws governing the transfer of corporate stock by estates.)

H. 698. To amend Sections 10327, 10328 and 10329 of Code.

H. 527. To amend Section 7331 of Code.

H. 504. Providing for the consolidation and joint trial of cases for personal injuries and loss of services arising therefrom.

H. 510. To make admissible the proof of motive in certain classes of criminal cases.

H. 505. To amend Section 8643 of Code.

H. 522. To amend Section 5004 of Code.

H. 833. To provide for and fix the franchise tax of all corporations doing business in this State that pay a privilege or license tax based upon percentage of gross receipts or of production and or sale.

S. 42. To provide who may not accept employment for obtaining paroles.

S. 112. To amend Sections 5289, 3290, 3291, 3292, 3293 and 3294 of Code.

H. 807. To protect the use of corporate names.

H. 909. To fix certain duties on commissioner of forestry and public lands.

H. 595. To amend Section 6693 of Code.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 123. Be it resolved by the House that H. B. 879 and 822 the captions of which are hereto attached, be made special paramount and continuing orders for the 37st Legislative Day, to be taken up immediately after the reading of the Journal.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Rogers of Mobile:

H. R. 124. Be it resolved by the House that H. B. 810, the caption of which is hereto attached, be made a special paramount and continuing order for the 37th Legislative Day to be taken up immediately after the reading of the Journal, and after the disposition of those special paramount and continuing orders taking precedence over it.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Vickers:

H. R. 125. Be it resolved by the House that S. B. 264, the caption of which is hereto attached, be made a special paramount and continuing order for the 37th Legislative Day to be taken up immediately after the reading of the Journal.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Adcock:

H. R. 126. Be it resolved that House Bill No. 720 relating to an appropriation for Southern Industrial Institute be and the

same is hereby made a paramount prior and continuing order of business immediately after the disposal of House Bill No. 281.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Jeter:

H. R. 127. Be it resolved by the House when this body adjourn this morning they adjourn to meet at 2:30 this afternoon for the purpose of roll call of counties for the passage of local bills and bills of local nature.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Washington:

H. R. 128. Resolved that House Bill 673 be made a special order.

And the resolution was referred to the Standing Committee on Rules:

By Mr. Goode:

H. R. 129. Resolved that the following House Bill be made a special paramount continuing order immediately after the call of counties on the next Legislative Day. H. 725.

And the resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 130. Resolved by the House that the following bills be made special paramount and continuing orders in the order named for the 37th Legislative Day immediately after special paramount continuing orders now on the Calendar are disposed of:

S. 171; H. 6; H. 495; H. 719; H. 534; H. 366; H. 467; S. 256; H. 17; H. 281; H. 720 and H. 33.

And the rules were suspended and the Resolution was adopted.

By Mr. Poole:

H. R. 131. Resolved that S. B. 54, be made a special paramount and continuing order for this the 37th Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 132. Resolved by the House that House Bill 512 be made a special paramount and continuing order of business after the special orders of business now on the Calendar.

And the resolution was referred to the Standing Committee on Rules:

By Mr. Cockrell:

H. R. 133. Be it resolved that House Bill 748 relating to increase in pay to Secretaries to the Court of Appeals be and the

same is hereby made a paramount and continuing order of business immediately after the report of Standing Committees on the 38th Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 134. Be it resolved that Senate Bill No. 375 relating to the validation of certain bonds and Senate Bill No. 376, a local bill relating to Dallas County only, be and the same are hereby made a special paramount and continuing order of business immediately after the report of Standing Committees on the 38th Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Beebe:

H. R. 135. Resolved that House Bill No. 773 amending the Constitution affecting Baldwin County only, be made paramount order for 11:15 A. M. on the 38th Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Powell:

H. R. 136. Resolved that H. B. No. 724 be made special paramount continuing order for the next Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Etowah:

H. R. 137. Resolved that House Bill No. 404 be made special order for next Legislative Day.

And the resolution was referred to the Standing Committee on Rules.

REPORT OF RULES COMMITTEE.

Mr. Long, Chairman of the Standing Committee on Rules, returned to the House with a favorable report, the following Resolutions:

H. R. 97. Making House Bill 17 special order for the 37th Day.

And the Resolution was adopted.

H. 103. Making House Bill 467 and Senate Bill 256 special orders for the 37th Day.

And the Resolution was adopted.

H. R. 108. Making House Bill 719 and H. 495 special orders for 37th Day.

And the Resolution was adopted.

H. R. 109. Making H. 534 special order for the 37th Day.

And the Resolution was adopted.

H. R. 110. Making H. 366 special order for the 37th Day.

And the Resolution was adopted.

H. R. 113. Making Senate Bill 171 special order for 36th Day.

And the Resolution was adopted.

H. R. 114. Making H. B. 281 special order for 37th Day.

And the Resolution was adopted.

H. R. 116. Making House Bill No. 6 special order for the 37th Day.

And the Resolution was adopted.

INTRODUCTION OF BILLS.

On a call of Counties, Bills were introduced, severally read one time and referred to appropriate Standing Committees as follows:

By Mr. Stephens:

H. 936. To amend Section 9257 of the Code of Alabama (Pertains to Publication of Notice in Newspapers.)

Public Printing.

By Mr. Jones of Cleburne:

H. 937. To establish in the State Department of Education, under the control of the State Board of Education a Division of Library Service, to create an Advisory Library Board, and to make an appropriation therefor.

Education.

By Mr. Darden:

H. 938. To provide that the rights of citizens of Alabama to hold office and to have, possess and enjoy the emoluments thereof, who are otherwise qualified under the Constitution and Laws of Alabama, shall not be denied or abridged on account of sex.

Privileges and Elections.

By Mr. Darden (by request):

H. 939. Creating a commission of five members, two from the Senate, and three from the House to be appointed by the Governor, who shall conduct the examinations to be held in accordance with the provisions of this Act; defining the powers and duties of the said commission; authorizing the chairman of the said commission to appoint a secretary; fixing the compensation of the members of the said commission, and the secretary; which commission shall be known as, The Alabama Civil Service Commission.

Rules.

By Mr. Thompson (by request):

H. 940. For the relief of those who have treated human diseases in Alabama for fifty years but who have not obtained license.

Public Health.

By Mr. Thompson:

H. 941. To prohibit the selling or offering for sale, barter or exchange, of any slot machine, lottery, punchboard, wheel of fortune, scheme or raffling or any other device of chance; and to provide the penalty therefor.

Revision of Laws.

By Mr. Frey:

H. 942. To authorize the City School Board or City Board of Education, or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

Local Legislation.

By Mr. Simpson:

H. 943. To amend Schedule 11-A of Section 361 of an Act entitled "An Act to provide for the General Revenue of the State of Alabama." Approved September 15th, 1919.

Ways and Means.

By Mr. Simpson:

H. 944. To authorize the Clerk of the Court of Appeals to employ an assistant and fix his salary.

Appropriations.

By Mr. Simpson:

H. 945. To amend Section 7336 of the Code of 1923.

Appropriations.

By Mr. Simpson:

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and sheriff, where said officials are paid a salary out of the County Treasury.

Local Legislation.

By Mr. Guy:

H. 947. To require each person, firm or corporation engaged in the business of repairing or remodeling automobiles to keep a record of the motor number and description of each automobile repaired or remodeled by such person, firm or corporation, and

further to require such person, firm, or corporation to keep a record of the name and address of the person authorizing such repair or remodeling work and to further provide for the punishment for violation of this act.

Public Roads and Highways.

By Mr. Nipper (with Notice and Proof):

H. 948. Abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said Board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this act shall go into effect upon its approval.

Local Legislation.

Notice and Proof H. 948.

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of the following bill:

AN ACT

An Act abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said Board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this act shall go into effect upon its approval.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established in and for the County of Marshall a Board of Revenue for Marshall County in lieu of the Court of County Commissioners, said Board of Revenue to be composed of five members, one of whom shall be Chairman of said Board, and all of whom shall be qualified electors of said County.

Section 2. That the Court of County Commissioners of Marshall County, Alabama, as now constituted, is hereby abolished upon the approval of this act, and there is hereby conferred upon said Board of Revenue all the jurisdiction, powers and duties which are now or may hereafter be conferred by law on Courts of County Commissioners, Boards of Revenue or other like governing bodies of the several Counties of this State.

Section 3. That the members of said Board of Revenue shall be the same persons as constitute the Court of County Commissioners and shall hold office until their successors are elected and qualified as provided in this act. In case of a vacancy on said Board the said vacancy shall be filled by the Governor. The Probate Judge of Marshall County shall be Chairman of said Board of Revenue.

Section 4. That the successors to the members of said Court of County Commissioners who were elected in November, 1924, shall be elected as follows: The two members from the odd numbered districts, that is the first and third districts, as now constituted, shall be elected at the general election in 1928, and every four years thereafter and their term of office shall begin the first Monday after the second Tuesday in January after their election. Those members from the even numbered districts, that is

the second and fourth districts, as now constituted, shall be elected at the general election in 1930, and every four years thereafter and their term of office shall begin on the first Monday after the second Tuesday in January after their election, and they shall hold office for a term of four years thereafter and until their successors are elected and qualified. The members from their respective districts shall be nominated and elected by the voters of the County at large as other County officers of Marshall County are nominated and elected.

Section 5. That the members of said Board of Revenue shall each receive as compensation the sum of Five Dollars per day for each day that such member is in attendance upon the meetings of said Board, such compensation to be paid out of the County Treasury, provided, however, that no member of the Board shall receive compensation in excess of twenty-five days after July 1, 1927, up to January 1, 1928, nor in excess of fifty days during any one calendar year beginning with January 1, 1928.

Section 6. That said Board shall have authority to discharge any person or persons employed by the Supervisor of Roads of Marshall County, Alabama, when in the judgment of said Board it is to the best interests of said County.

Section 7. That if any section, clause, provision or portion of this act shall be held invalid or unconstitutional by any Court of competent jurisdiction, such invalidity shall not affect any other section, clause, provision or portion of this act which is not of itself unconstitutional.

Section 8. That this act shall take effect immediately upon its passage and approval by the Governor.

H. Lee Nipper.

The State of Alabama, }
Marshall County. }

Before me, Dayton Gilbreath, a Notary Public in and for said State and County this day personally appeared Y. Burke, who being first duly sworn, deposes and says that he is publisher of The Guntersville Advertiser, a newspaper published in Guntersville, Marshall County, Alabama, and that the above notice signed by H. Lee Nipper, has been published in said paper once a week, for four consecutive weeks, in its issues of June 15, 1927, June 22, 1927, June 29, 1927, and July 6th, 1927.

Sworn to and subscribed before me this the 7th day of July, 1927.
(SEAL)

Y. Burke,
Dayton Gilbreath,
Notary Public, Marshall County, Alabama.

By Mr. Nipper (with Notice and Proof):

H. 949. To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.

Local Legislation.

Notice and Proof H. 949.

NOTICE.

Notice is hereby given that application will be made by me to the Legislature of Alabama during the present session for the passage of the following bill:

AN ACT

To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.
Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created in and for the County of Marshall the office of road supervisor who shall be the supervisor of the public roads of said county. He shall be provided with a properly furnished office in the County Court House or elsewhere in the County seat and shall hold office for two years, unless sooner removed from office for neglect of duty, drinking intoxicating liquors or beverages or incompetency. The said Road Supervisor shall have charge of the construction, improvement and maintenance of all the public roads, bridges and ferries of the County, subject to the general direction of the Court of County Commissioners; he shall be the custodian of the records of the county concerning roads, bridges and ferries except as otherwise provided by law; he shall select all subordinate employees, subject to the approval of the Court of County Commissioners and shall have authority to discharge same with or without cause without the approval of the Court of County Commissioners. The County Road Supervisor shall devote his entire time to the duties of his office designated herein and such other duties as shall be assigned to him by the Court of County Commissioners. The salary of the county road supervisor shall be fixed by the Court of County Commissioners, provided that the salary shall not be more than twenty-four hundred dollars per annum, payable monthly out of the road and bridge fund of said County. Said road supervisor shall before taking office furnish the county with surety bond in the sum of Five Thousand Dollars, which bond shall be approved by the Court of County Commissioners, the premium to be paid out of the County funds.

Sec. 2. That the said County Road Supervisor shall prepare a map or sketch of the county showing the location of all the public roads, and indicating the character of improvements which have been made on each road. A tracing of such map or sketch shall be made and deposited for safe keeping in the vault of the Probate Office, and such tracing shall be brought up to date monthly.

Sec. 3. The county road supervisor shall be the custodian of all road tools and machinery of Marshall County, and it shall be his duty to keep same in a substantial warehouse, except when such tools and machinery are being used on roads for road work. To this end, the county road supervisor is given all incidental powers necessary to carry this section into effect.

Sec. 4. The county road supervisor shall be accountable at all times for each and all of the tools, machinery and gasoline or motor fuel belonging to Marshall County and for failure to account for the same, he shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than Ten dollars and not more than Five hundred dollars.

Sec. 5. That it shall be the duty of the road supervisor to see that each person subject to road duty who does not pay commutation fees as shall be determined by the Court of County Commissioners of Marshall County, from time to time, work as many days on the public roads of said county as may be fixed by the Court of County Commissioners from time to time.

Sec. 6. That said road supervisor shall be allowed an expense account not to exceed the sum of Fifty dollars per month, said account to be itemized by him and passed upon by the Court of County Commissioners as all other bills.

Sec. 7. That said road supervisor herein designated shall be elected by the Court of County Commissioners of Marshall County every two years; and provide further that the Court of County Commissioners shall within thirty days after the passage and approval of this act, elect or appoint a county road supervisor whose term of office shall expire on February 28, 1929.

Sec. 8. It shall be the duty of the road supervisor to make a semi-annual itemized report, showing the receipt and expenditures of money

for road and bridge purposes of Marshall County, specifying particularly the source from which received, and the purposes for which expended, and to whom expended.

Sec. 9. All persons furnishing material or doing work on any road or bridge shall make out, itemize and swear to all claims for such services or materials, which shall be approved by said supervisor before the Board of County commissioners orders or allows the payment of the same, which shall be paid direct to such person doing such work or furnishing such materials.

Sec. 10. If any section, clause, provision, or portion of this act shall be held invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not effect any other section, clause, provision or portion of this act which is not of itself unconstitutional.

Sec. 11. That all law and parts of laws in conflict with this Bill be and the same are hereby repealed.

Sec. 12. That this bill shall take effect immediately upon its passage and approval by the Governor.

H. Lee Nipper.

The State of Alabama, }
Marshall County. }

Before me, Dayton Gilbreath, a Notary Public in and for said State and County, this day personally appeared C. G. Fennell, who being first duly sworn, deposes and says that he is publisher of the Guntersville Democrat, a newspaper published in Guntersville, Marshall County, Alabama, and that the above notice, signed by H. Lee Nipper, has been published in said paper once a week, for four consecutive weeks, in its issues of June 14th, June 21st, June 28th and July 5th, 1927.

C. G. Fennell.

Sworn to and subscribed before me this the 6th day of July, 1927.
(SEAL)

Dayton Gilbreath,
Notary Public, Marshall County, Alabama.

By Mr. Grove:

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Local Legislation.

By Mr. Rogers of Mobile:

H. 951. To amend Section 6503 of the Code of Alabama, 1923.

Judiciary.

By Mr. Carter:

H. 952. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to

prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

Military.

By Mr. Goodwyn:

H. 953. To make an appropriation of \$2,400 (twenty-four hundred dollars) per year to employ a clerk to the known as the Archives Clerk in the State Department of Archives and History.

Appropriations.

By Mr. Goodwyn:

H. 954. To make appropriations to the Alabama Boys' Industrial School.

Appropriations.

By Mr. Patterson:

H. 955. To repeal an Act, entitled "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security, in Jefferson, Morgan, Walker and Etowah Counties," approved March 9, 1901, (Acts 1900-1901, pages 2685 to 2688), in so far as the same relates to or affects any and all counties of this State having a population of forty-five thousand or less according to the last preceding or any subsequent official and published Federal Census.

Local Legislation.

By Mr. Hightower (with Notice and Proof):

H. 956. To repeal an Act entitled "An Act to establish the Inferior Court of York Beat, Precinct No. 6 in Sumter County, Alabama, in lieu of all Justices of the Peace therein includnig the Notary Public Exofficio Justice of the Peace therein to be called the Inferior Court of York and to provide that all of the State's laws which are general shall apply to York Precinct No. 6 of Sumter County, Alabama, as to Justices of the Peace and Notary Public Ex-officio Justice of the Peace and to provide for the transfer of all cases now on the docket of the said Inferior Court to the Justices of the Peace Court to be established."

Local Legislation.

Notice and Proof H. 956:

NOTICE OF INTRODUCTION OF BILL IN LEGISLATURE OF ALABAMA.

Notice is hereby given that at the present session of the Legislature of Alabama, there will be introduced a bill substntially as follows:

AN ACT.

Entitled an act to repeal an act entitled An Act to establish the Inferior Court of York Beat, Precinct No. 6, in Sumter County, Alabama, in lieu of all Justices of the Peace therein including the Notary Public Ex Officio Justice of the Peace therein to be called the Inferior Court of York, and to provide that all of the State's laws which are general shall apply in York, Precinct No. 6, of Sumter County, Alabama, as to Justices of the peace, and Notary Public ex-officio Justice of the Peace and to provide for the appointment of Justices of the Peace and Notary Public Ex Officio Justice of the Peace, and to provide for the transfer of all cases now on the Docket of said Inferior Court to the Justices of the Peace Court to be re-established.

Section 1. Be it enacted by the Legislature of Alabama, that an act entitled an Act to establish the Inferior Court of York Beat, Precinct No. 6, in Sumter County, Alabama, in lieu of all Justices of the Peace therein including the Notary Public Ex-Officio Justices of the Peace therein to be called the Inferior Court of York which was passed at the Session of the Legislature of 1923 and approved February 7th, 1923, be and the same is hereby repealed.

Section 2. Be it further enacted that all the State's laws which are General shall apply in York Beat, Precinct No. 6, to Justices of the Peace and Notary Public Ex Officio Justice of the Peace.

Section 3. That the Office of Judge of the Inferior Court of York, is hereby abolished, provided that this shall become effective upon appointment and qualification of Justices of Peace or a Justice of the Peace or Notary Public Ex Officio Justice of the Peace, and all cases, proceedings, warrants and other papers pending returnable to said Court are hereby transferred to the first Justice of the Peace who shall be appointed and qualify which shall have jurisdiction of said matters, the same as if they had begun in said Court.

Section 4. Be it further enacted that if any section, paragraph, portion or provision, of this Act shall be declared unconstitutional or void for any reason, it shall not affect the validity of the remaining sections, provisions and portions

Section 5. Be it further enacted that all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 6. Be it further enacted that the Justices of the Peace who shall be appointed by the Governor shall hold office until the next General election and until their successors are elected and qualified.

State of Alabama, }
Sumter County. }

Before me, the undersigned authority, in and for said State and County, appeared O. C. Morgan, Jr., who being duly sworn, deposes and says that he is the publisher of the Sumter County Journal, a newspaper published in York, Sumter County, Alabama, affiant further states that the attached "Legal Notice" was published in said Sumter County Journal once a week for four consecutive weeks before this date. In the issues of June 16th, June 23rd, June 30th, July 7th, 1927.

(Signed) O. C. Morgan.

Subscribed to and sworn before me this the 25th day of July, 1925.

(Signed) John W. Altman,
Notary Public.

By Mr. Ward of Tuscaloosa (by request):

H. 957. To amend Section 10620 of the Code of 1923 of the State of Alabama, to provide for the probate and record in the

courts of Alabama, of wills previously admitted to probate and record in the courts of other states, territories, districts and countries subject to the jurisdiction of the United States, and of foreign countries, not subject to the jurisdiction of the United States, and to provide for the contest of such wills in the courts of Alabama, where such wills purpose to dispose of land situated in the State of Alabama, and where such wills purport to dispose of personal property situated in the State of Alabama.

Judiciary.

By Mr. Ward of Tuscaloosa (by request) (with Notice and Proof):

H. 958. For the relief of P. B. Hughes, former sheriff of Tuscaloosa County, Alabama, to authorize, empower and direct the Board of Revenue of Tuscaloosa County, Alabama, to pay to the said P. B. Hughes, out of any funds belonging to Tuscaloosa County and not already otherwise appropriated, the sum of \$1510.20, paid by said Board of Revenue to the said P. B. Hughes as sheriff of Tuscaloosa County, while acting as such sheriff, consisting of the following sums of money, on the following accounts: \$55.80 for postage stamps, \$15.40 as mileage in cases which were not proessed, \$102.00 as fees for guarding prisoners, \$162.00 as fees for bailiffs in the County Court of Tuscaloosa County, and \$1175.00 as expense of maintaining automobiles for the use of the sheriff and his deputies, amounting in the aggregate to \$1510.20, and which the said P. B. Hughes has, by the Chief Examiner of Accounts, been required to refund, and which he did refund to Tuscaloosa County on October 29, 1925.

Local Legislation.

Notice and Proof H. 958:

The State of Alabama, }
Tuscaloosa County. }

Before me, Henry A. Jones, a Notary Public, in and for Tuscaloosa County, Alabama, personally appeared Mr. Aaron Miller, who is known to me, and who having been by me first duly sworn, doth depose and say that he is the publisher of the Tuscaloosa News and Times Gazette, a daily and weekly newspaper published in Tuscaloosa County, Alabama, and that the following notice,

Notice of Special, Private or Local Law.

Notice is hereby given that I will apply to the Legislature of Alabama, at its present session, to pass a Special Act authorizing the County of Tuscaloosa to refund to me the sum of Fifteen Hundred Ten and 20-100 Dollars (\$1510.20), which the County had paid me, as sheriff, as fees, expenses, and other allowances, and which I was required by the Examiner of Public Accounts to refund and did refund to the County on October 29, 1925.

Very respectfully,

Perry B. Hughes.

Was published once a week for four consecutive weeks prior to this date, namely, in the issues of June 29, 1927, July 6, 1927, July 13, 1927,

and July 20, 1927; that said publication was made at the request and for the account of Perry B. Hughes, the person mentioned in said notice, who has paid in full for the publication thereof, and that said publication was made without cost to the State of Alabama.

Aaron Miller.

Sworn to and subscribed before me on this 26th day of July, 1927.
(SEAL)

Henry A. Jones,

Notary Public in and for Tuscaloosa County, Alabama.

By Mr. Harwood (by request):

H. 959. To amend Section 21 of an Act approved September 13, 1923, relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama.

Public Roads and Highways.

By Mr. Goode:

H. 960. To adopt the code of laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927 (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama.

Agriculture.

By Mr. Hawkins:

H. 961. To provide for a credit upon and deduction from the license or privilege tax levied and required to be paid under subdivisions 2 E and 2 F of Section 2 of an act entitled An Act in reference to and to further provide for the General Revenue of the State of Alabama, approved July 22, 1927, of the amount paid, by those liable under said above subdivisions, as advalorem taxes paid by them on their coal and or iron ore bearing lands or real property and on the improvements thereon, and equipment, machinery, and personal property used in mining coal and iron ore; and to prescribe the manner of making said credits and deductions and when the same shall be made.

Ways and Means.

By Mr. Rogers of Elmore:

H. 962. For the relief of persons suffering damage caused by the breaking of the State's dam at Speigner, Alabama.

Appropriations.

By Mr. Simpson:

H. 963. A bill to be entitled an act to propose an Amendment to the Constitution of Alabama authorizing the County

of Jefferson, in addition to the taxes which it is now authorized and empowered to levy and collect, to levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis.

Be it enacted by the Legislature of Alabama:

Section 1. That the following Amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed Amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this Amendment is proposed. The proposed Amendment is to add a new section as follows:

ARTICLE XI.

Section 215-A. In addition to the taxes which the County of Jefferson is now authorized and empowered to levy and collect, said County, through its Board of Revenue or other governing body, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for state taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis. This Section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each county of the State once a week for eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time, at length, and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. Simpson (with Notice and Proof):

H. 964. To amend "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwins precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for the organizing and empanelling Grand Juries therefor and define the jurisdiction of said Grand Juries, to regulate the holding of said Court at said place and otherwise provide therefor." Said Act having been approved August 18th, 1919.

Local Legislation.

Notice and Proof H. 964:

NOTICE.

Notice is hereby given that a bill will be introduced at the 1927 session (adjourned session) of the Legislature of Alabama as follows, to-wit:

AN ACT

To amend "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aarons Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meeks Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwins Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empaneling Grand Juries, to regulate the holding of said court at said place and otherwise provide therefor." Said Act having been approved August 18th, 1919.

Be it enacted by the Legislature of Alabama as follows:

Section 1. That Section 2 of said Act shall be and is hereby amended so as to read as follows:

That said Court of the Tenth Judicial Circuit, holding at Bessemer, as in this Act provided, shall have, exercise and possess all of the jurisdiction and the powers which are now or which may hereafter be conferred by law on the several Circuit Courts of this State, which said jurisdiction and powers shall be exclusive in, limited to, and extend over that portion of the territory of the county of Jefferson which is included in the following Precincts, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aarons Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meeks Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwins Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Precinct No. 49 as said Precinct No. 49 is now defined, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, as said Precincts are at present constituted, and

from and over the above mentioned and described territory all jurisdiction and powers heretofore or now exercised or existing therein by the Circuit Court of the Tenth Judicial Circuit, as now held at Birmingham, is hereby expressly excluded, except that the Circuit Court of the Tenth Judicial Circuit, as now held at Birmingham, shall have, exercise and possess all of the jurisdiction and powers in and over that certain Precinct now known and designated as Precinct No. 57, which are now or which may hereafter be conferred by law on the several Circuit Courts of this State and which said jurisdiction and powers shall be exclusively vested in the said Circuit Court of the Tenth Judicial Circuit as now held at Birmingham.

Section 2. That if any section, clause or provision of this Act be declared to be unconstitutional or held to be invalid, it shall not be held to effect any other section, clause or provision, but the same shall remain in full force and effect.

Section 3. This law shall go into effect immediately upon its passage and approval.

Section 4. All laws and parts of laws, general, special or local in conflict herewith be and the same are hereby repealed.

The State of Alabama, }
Jefferson County. }

Before me, the undersigned authority in and for the County and State aforesaid, personally appeared Walter J. Stuckey, editor and publisher of the Fairfield Press, a weekly newspaper published in said State and County, who, being by me first duly sworn, deposes and says that the notice, a true copy of which is hereto attached, was published in the Fairfield Press, once a week for four consecutive weeks, commencing on the 2nd day of June, 1927.

(SEAL)

Walter J. Stuckey,
Publisher and Editor of the Fairfield Press.

Subscribed and sworn to before me on this the 27th day of July, 1927.

Katharine E. Seay,
Notary Public.

By Mr. Smith:

H. 965. To amend Section 4751, Code of Alabama, 1923.
Judiciary.

By Mr. Nipper:

H. 966. To make an appropriation for buildings and equipment for the Kate Duncan Smith, D. A. R. School, located at Grant, Alabama.

Appropriations.

By Mr. Shepherd:

H. 967. To provide for the extension of the corporate limits of certain municipalities so as to include contiguous territory in which is situated public school buildings used for the benefit of the residents of such municipality.

Education.

By Mr. Deloney:

H. 968. To further define the term "Lubricating Oil" and to designate the kinds and classes of Lubricants upon which a tax of two cents per gallon thereof may be levied and collected under the law.

Ways and Means.

By Mr. Hollis:

H. 969. To prohibit the teaching of the Evolution Theory in all the schools of the State of Alabama, universities, normal school and all other schools which are supported in whole or in part by the public school funds of the State, and to provide penalties for the violations of the same.

Judiciary.

By Mr. Waddell:

H. 970. To repeal Schedule 103 of Section 361 of an Act to provide for the general revenue of the State of Alabama, approved September 15, 1919.

Ways and Means.

BILLS ON SECOND READING.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 748. To amend Section 7331 of the Code of 1923—Secretary of Court; removal, vacancy, salary, etc.

H. 813. To amend Section 8832 of the Code of Alabama.

H. 843. To prescribe the time within which actions may be brought for the recovery of lands which have been claimed and the taxes thereon paid for twenty years during which period the lands stood embraced in or covered by an incomplete grant by the United States of America subsequently completed or perfected by the issuance of patent or otherwise.

H. 909. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the State, or to any Township thereof, or to the inhabitants of any such Township.

H. 576. To further provide for the distribution of the reports of the supreme court and the court of appeals of Alabama to the several counties of the state, and to make the clerks of the circuit courts custodians of such reports.

H. 444. To amend Section 5178 of the Code of Alabama, 1923.

S. 37. To adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923, and incorporated in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

S. 146. To amend Sections 7770 and 7773 of the Code of Alabama of 1923.

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

H. 823 (with substitute). To amend Section 6898 of the Code of 1923 entitled conditional sales, leases, etc., to be recorded.

H. 807 (with substitute). To provide for the protection in use of the corporate names of corporations incorporated under and authorized to do business in the State of Alabama under the laws of the State of Alabama.

H. 595 (with substitute). To amend Section 6693 of the Code of Alabama of 1923.

S. 112 (with substitute): To define the crime of arson and attempt to commit arson and to fix punishment therefor; to repeal Sections 3289, 3290, 3291, 3292, 3294 of the Code of Alabama of 1923, and all laws and parts of laws in conflict with the provisions of this Act.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

S. 296 (with amendment). To provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to Education.

H. 445 (with amendment). To amend Section 2782 of the Code of Alabama, 1923.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 880. To amend Sections 688, 691, 693, 694, and 695 of the Code of Alabama of 1923.

H. 881. To define and establish the meaning of the term "Embalming" for the purposes of chapters 21 and 124 of the Code of Alabama of 1923.

H. 882. To amend Section 3959 of the Code of Alabama of 1923.

H. 931. To authorize the Board of Commissioners of the City of Montgomery, Alabama, to vacate and abandon that portion of State Street in the city of Montgomery, Alabama, which has never been opened or used as a street by the public.

H. 921. To amend Section 6717 of the Code of Alabama, 1923.

H. 920. To amend Section 6717 of the Code of Alabama.

S. 318. To amend Section 4928 of the Code of Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 858. To amend Section 955, Code of Alabama, 1923, as amended by act approved September 29, 1923, Acts 1923, page 789.

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 797. (with amendment) For the relief of B. L. Marshall and to appropriate for the said B. L. Marshall the sum of fifteen hundred dollars, who was permanently disabled while on active duty with the highway department of the State of Alabama.

H. 887 (with amendment): To make an additional appropriation for the maintenance of the State Child Welfare Department.

Mr. Starnes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 179. To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

Mr. Grove, Chairman of the Standing Committee on Seaport, Harbors and Maritime Commerce, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 173. To authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

Mr. Adcock, Chairman of the Standing Committee on Pensions, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 845. To amend Section 1 of an act to amend Sections 3 and 6 of an act entitled an act to further provide for and regulate the payment of pensions to Confederate Soldiers and Sailors and their widows and to make necessary appropriations there-

for, approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

Mr. Edmundson, Vice-Chairman of the Standing Committee on Banks and Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 935 (with amendment): To amend Sections 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama, 1923.

Mr. Lovelace, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report.

H. 717. To designate the Goldenrod as the State Flower of Alabama.

H. 718. To designate the bird commonly called the Yellowhammer as the State Bird.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 37. To prescribe the qualifications, duties and compensation of coroners in counties of this State of two hundred thousand inhabitants or more according to the last Federal census or any subsequent Federal census who may be hereafter elected and to provide for a deputy or an assistant coroner and to define and prescribe the powers and duties of such deputy or assistant and to provide for the employment of a competent physician at any inquest held by such coroner, or such deputy or such assistant, and to define and prescribe his duties and to fix his compensation and to provide for the employment of stenographer by such coroners.

H. 161. To provide for the payment of the premiums on the official bonds of county officers who are now or may hereafter be placed on a salary basis.

H. 475. Ratifying, confirming and making effective the Act approved September 29th, 1919, as of the date of its approval, creating as an item of court costs, in circuits of two hundred thousand or more population, a "Library Tax" of \$2.00 and providing for its payment and collection: Ratifying, confirming and making effective, as the date of its approval, the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of said Act certain

classes of cases: Ratifying and confirming the payment, receipt and collection by the Clerk of the Circuit Court of all sums that have been paid as and for "Library Tax" costs under the afore-said Act approved September 19th, 1919:

H. 596. To allow the Constable in Precinct Number 45 in the County of Jefferson, to appoint deputies.

H. 620. To vacate a portion of the public street or highway in the Town of Atmore, Alabama, now forming a curve or turn-out in State Road Number 9, and situated at or near the right of way of the Louisville & Nashville Railroad Company, and adjacent to Greenlawns Addition and Eastland Addition in said Town of Atmore, and to relinquish and abandon all rights of the public in and to the portion of said street or highway so vacated.

H. 680. To provide that in Calhoun County, the Assessment Lists or Sheets shall constitute the Book of Assessments as required by the General Revenue Law.

H. 694. To alter and arearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

H. 762. To amend Section 3 of an act approved September 3rd, 1919, entitled an act "To establish a Board of Revenue for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and to fix his duties and powers; and to fix their compensation: to divide the County of Russell into five (5) Board of Revenue Districts and abolish the Court of County Commissioners and repeal all conflicting laws, general, local and special."

H. 778. To authorize and empower the Town Council of the Town of Brantley, Alabama, to widen, extend or elongate, vacate, annul, shorten, narrow or alter in any proper manner any street, avenue, alley or other public place in said Town and County and convey such portion of any street, avenue, alley or other public place so vacated, annulled, shortened or narrowed, to the adjacent landowners, to the best interest of the citizens of said town and to give authority to either purchase or condemn space required to widen, elongate or extend any street, alley, avenue or other public place, under this Act.

H. 798. To enlarge the duties now imposed by law on the Board of County Commissioners or County Board of Revenue of Crenshaw County, to authorize such board as now constituted or as hereafter may be constituted to become the sole purchasing agent for the County of Crenshaw of all road machinery, tools, implements, books, blanks, office furniture, fixtures, stationery or any and all articles and things which may be required by law to be purchased for or by the county, and to provide the manner

and procedure of such purchases and to fix a penalty for failure to comply with this act.

H. 857. To form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under the constitution and laws of the State of Alabama, or that may be hereafter authorized under any amendment thereof, other than the amendment submitted by this Legislature validating this act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate of annual levies shall be one per centum on the value of the taxable property in such districts for a period of twenty (20) years from the date of the vote thereon; for the advancement of said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition to that now allowed to be incurred by such County under the Constitution of Alabama or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act .

H. 863. To provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama; to provide for the appointment of Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

H. 872. To provide for and regulate the appointment of deputy Constables by the Constables of Precincts Thirty-three, Forty-five and Thirty-seven of Jefferson County, Alabama, and fix the allowances and fees of the Constables of said Precincts.

H. 883. For the relief of W. P. Hampton, and to reimburse him for expenses incurred in doctor bills, nurse hire, hospital bills, and medicine, and other expenses paid out by him while in the hospital and before recovering, after being wounded as law enforcement officer in the discharge of his duty for the State of Alabama."

H. 896. To authorize and require the treasurer of Crenshaw County, Alabama, or the custodian of funds of said County annually after having first paid interest due on the bonded indebtedness of the County out of the road and bridge fund as derived from the ad valorem taxes, to set aside the remainder of said road and bridge fund for the purpose of paying old road and bridge warrants of the County, and to prescribe the order in which such warrants are to be paid.

H. 900. To authorize the conveyance of certain real estate by the State Board of Education of the State of Alabama, to the City of Jacksonville, Alabama.

H. 901. To authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyance thereof by the City authorities of said City, the proceeds of such sale to be used for City School Purposes in said City of Jacksonville, Alabama.

H. 902. To ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis Club of Anniston, Alabama, a copy of which contract is hereto attached and marked "Exhibit A," and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis Club.

H. 903. To amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said Court of County Commissioners of said county; to divide the said County of Calhoun into five districts for the election of members of said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon the said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of County Commissioners, Board of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17, 1923.

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties,

to fix his salary and to provide for the method of his election or appointment.

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate Members and to abolish the Commissioners Court of Etowah County.

H. 907. To license and to regulate the business of making loans in sums of One Hundred Dollars or less, secured or unsecured in all counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation thereof; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

H. 916. To repeal an act entitled an act to better improve the public roads of Washington County, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington County, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

S. 168. To provide for and establish in each and all counties of this State which now have a population of two hundred thousand people, or more, according to the last Federal census, or

which shall hereafter have such population, or more, according to any such census hereafter taken, a court to be designated the Juvenile and Domestic Relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said court to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and all wards and probationers of such Domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations courts and Courts of Domestic Relations in such counties.

S. 371. To amend sections 6, 8, and 11 of an act entitled "An act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

S. 276. To vacate and close as a public highway or street that portion of Lee Street in the City of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama Avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama Avenue with the east margin of Lee Street and running thence westwardly along the north margin of Alabama Avenue thirty-five feet and extending northwardly with that uniform width to where said Lee Street strikes the section line: (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee Street as now or formerly laid out.

S. 158. To repeal an act entitled an act, "To establish the office of Road Supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment." Approved August 30, 1923.

S. 370. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

H. 835. To provide for the compensation of the County Solicitor of Bullock County, Alabama, and to regulate the manner of payment.

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

H. 859. To provide that in Bibb County, Alabama, the informer shall receive one-fourth of the fine in all cases of conviction for a violation of the prohibition law of Alabama, and to provide for the payment of same in Bibb County, Alabama.

S. 334. To make it the duty of the clerk of the Circuit Court of Lamar County, Alabama, as ex-officio Clerk of the County Court, to record the proceedings and write up the minutes of the County court and to provide for compensation of the same.

S. 372. To further amend an act of the Legislature of Alabama, entitled "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

S. 365. To authorize the Court of County Revenue of Franklin County, Alabama, to make payment from the Road and Bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County

S. 337. To provide for the manner of selecting the County Superintendent of Education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS REPORTED ADVERSELY.

Mr. Adcock, Chairman of the Standing Committee on Pensions, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 889.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted

on the following bill and ordered same returned to the House with an adverse report:

H. 744.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 761 and H. 838.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 74; H. 251; H. 380; H. 443; H. 529 and H. 849.

The above and foregoing bills were severally read a second time and placed on the Adverse Calendar.

RECOMMITTAL OF BILL.

On motion of Mr. Simpson, the Bill,

H. 932. To authorize and empower the Governor of Alabama to negotiate with the Government of the United States and with any other person, firm or corporation for the adjustment, compromise and proper settlement, of, and, if such adjustment, compromise and settlement fails, to direct the institution of whatever suit of proceedings, at law or in equity, may be necessary to recover, the right, title, equities and interests which the State of Alabama has in and to the power dam, power site and other improvements at Wilson Dam and Muscle Shoals; and also any other rights or interests the State of Alabama has or owns in and to the beds, banks and waters of its navigable streams from the United States or from any other person, firm or corporation which may have any adverse interest or claim therein; and to employ all necessary agents or agencies and legal counsel for said purposes and to direct the Attorney General or such legal counsel, one or both, to institute such suits or proceedings whenever the Governor may deem necessary and to make appropriations for necessary expenses incurred therefor.

Was recommended to the standing committee on appropriations.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Miller of Sumter, called up his motion to take House Bill 54 from the adverse calendar and place same on the regular calendar and the motion prevailed.

Yeas, 90; nays, 2.

Yeas:

Messrs.:

Adcock	Graves	Lovelace	Rivers
Allen	Green	Luck	Rogers (Mobile)
Anderson	Grove	McAdory	St. John
Baldwin	Gullatt	Martin	Sanders (Conecuh)
Bartlett	Guy	Matthews	Sanders (Pike)
Beebe	Hampton	Merrill	Sanderson
Brunson	Harwood	Miller (Marengo)	Shivers
Bryant	Hawkins	Miller (Sumter)	Simpson
Burleson	Hightower	Monk	Smith
Burns	Hollis	Morrow	Starnes
Cannon	Howard	Mulen	Stephens
Carter	Hubbard	Owens	Stewart (Calhoun)
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Denson	Jones (Cleburne)	Poole	Ward (Geneva)
Desear	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Edwards	Jordan (Washington)	Quillin	Ware
Frey	Kirkpatrick	Rankin	Webb
Golson	Langdon	Reeder	Weldon
Goode	Lawler	Ringer	Winn
Goodwyn	Lee		

—90

Nays:—Messrs. Deloney and Moxley—2.

AND SAID BILL

H. 54. To pay the town of Livingston for a school building and lot conveyed by said town to the state for the State Normal School located at Livingston.

Was read a second time and placed on the calendar.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 637. To further prescribe the times of elections and terms of office of the county commissioners of Randolph County, Alabama.

H. 538. To authorize the issuance of contingent endowment contracts of insurance by life insurance companies and fraternal benefit societies; and to provide for the maintenance of reserves thereon.

H. 583. To amend Section 5001 of the Code of 1923.

H. 552. To authorize and empower the Commissioner's Court of Coosa County, Alabama, to donate, contribute or appropriate any of the public funds of said County, not otherwise designated, to the public schools of the county for building, rebuilding, repairing, painting, enlarging, or seating purposes as the condition

of the county treasury or finances may permit in their judgment from time to time.

H. 85. To amend an Act "To authorize the Court of County Commissioners, the Board of Revenue and Road Commissioners, or like body, in each County in the State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, the office of the jailer, and the judge of probate of their respective counties," approved September 25, 1919.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Bills and sends same herewith to the House without engrossment:

By Mr. Teasley:

S. 383. To further govern or to further regulate banks and the business of banking, (other than the business of banking under the laws of the United States) in the State of Alabama; to regulate the presentation and payment of checks; to further define existing powers and authority in the Banking Department and to confer additional powers and authority on the Banking Department of Alabama to examine the trust departments of State banks; to amend Section 6275 of the Code of Alabama of 1923 creating the Banking Department of Alabama.

By Mr. Young:

S. 380. To fix the terms of the members of the Board of Control or the Board of Trustees of the Alabama School of Trades and Industries and to create an advisory council for the said school.

By Mr. Edgar:

S. 286. To authorize each county to appropriate funds for the purpose of providing a scholarship for a resident of such county at the Alabama School of Trades and Industries.

By Mr. Craft:

S. 377. To require the boards of revenue and road commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty-five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as road engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict with this Act.

By Mr. Holmes (with notice and proof):

S. 391. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to introduce in the current session of the 1927 Legislature of Alabama a bill to authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right-of-way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise; which bill shall be in substance as follows:

A Bill to be Entitled an Act to authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right-of-way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Be it Enacted by the Legislature of the State of Alabama:

Section 1. That the consent and authority of the State of Alabama be, and the same is hereby granted to the county commissioners, board of revenue or other governing body of Baldwin County, Alabama, by whatever name, to grant a franchise to the person, persons or corporation who will comply with the requirements of the said governing body of said County, for the construction, maintenance and operation of a toll bridge, causeway and highway over that part of Perdido Bay which lies within the territorial limits of the State of Alabama. Said bridge to start at or near Perdido Beach, in Baldwin County, Alabama, and to connect with the mainland in Escambia County, Florida, at or near Inerarity Point, for the accommodation and service of vehicles, pedestrians and livestock, and for motor or electrically propelled public conveyances or common carriers; Provided that the franchise shall not be granted for a longer period than fifteen years and may be renewed by such governing body upon such terms as it may deem best and shall be upon such terms and conditions as the said governing body shall prescribe.

Section 2. That any person, persons or corporation constructing or operating any toll bridge, bridges, causeway or highway under the provisions of this Act, shall have the same rights, powers and privileges of

eminent domain as are now exercised and enjoyed by toll bridge companies in this state as and with reference to and concerning the condemnation of public and private property for the right of way for toll bridge, causeway, ferries and highway; and such person, persons or corporation shall have the right, privilege and authority to condemn and acquire such right-of-way for the construction of its bridge, bridges, causeway and highway in the same manner and by the same process as is now prescribed by the laws of this state for condemnation of rights-of-way for toll bridges, causeways, ferries and highways and every one of the laws of the State of Alabama, applying to the condemnation of rights-of-way for toll bridges, causeways, ferries and highways in this State, be and the same are hereby made to apply, to govern and to control the acquisition of such right-of-way by and for such person, persons or corporation.

Section 3. The consent hereby authorized and granted is conditioned upon a like consent and authority to be obtained from the State of Florida, and of the County of Escambia in the state of Florida, for the construction of that portion of said bridge, causeway and highway to be located in the County of Escambia, in the State of Florida; and the said consent is further subject to all conditions and requirements for bridges over navigable waters as prescribed by rules and regulations of the War Department of the United States.

Section 4. This grant, consent and authority is further subject to all of the terms and provisions of the laws of the State of Alabama as now existing or that may hereafter be enacted and subject to such rules and regulations of the governing body of Baldwin County now or hereafter promulgated, relative to the establishment of toll ferries, toll bridges, and roads.

Section 5. Authority is hereby granted to the governing body of Baldwin County, Alabama, acting for Baldwin County, and to the State Highway Commission, acting for the State of Alabama, either or both to act separately or jointly with the authorities of the State of Florida and with the County Commissioners of Escambia County, Florida, either or both to purchase said toll bridge, bridges, causeway and highway after same shall have been in operation for a period of fifteen years, and upon such terms as may be embodied in the franchise to be issued by the said governing body of Baldwin County, Alabama.

Section 6. This act shall take effect immediately upon its passage and approval by the Governor or upon its becoming law without such approval.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,

Baldwin County.

T. L. C. Vail, being duly sworn, deposes and says that he is the Publisher of The Baldwin County News, a Weekly Newspaper published at Foley, Baldwin County, Alabama; that the notice hereto attached of Bill to authorize toll bridge over Perdido Bay, etc., was published in said newspaper for 4 consecutive weeks in the following issues:

Date of first publication: June 23rd, 1927.

Date of second publication: June 30th, 1927,

Date of third publication: July 7th, 1927.

Date of fourth publication: July 14th, 1927.

T. L. C. Vail,
Publisher.

Subscribed and sworn to before the undersigned this 16th day of July, 1927.

(Seal)

Dixie E. Vail,
Notary Public.

By Mr. Craft:

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges, and to authorize courts of county commissioners, boards of revenue, or other like governing bodies of the several counties of Alabama, having a population of not less than ninety thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to issue new interest bearing warrants, at the same or a less rate of interest, in lieu of the warrants, the time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

Also:

By Mr. Craft:

S. 376. To authorize Mobile County in this state, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile county to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile county to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election and regulating the sale of such bonds and the use of the proceeds of such sale, and repealing all acts in conflict with this act.

With Notice and Proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama when convened in its next session hereafter, to pass a local act providing in substance as follows:

A BILL

To be entitled An act to authorize Mobile county in this state, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile county to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile county to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election.

Be it enacted by the Legislature of Alabama:

Section 1. That Mobile county, in the state of Alabama, when first authorized as hereinafter provided by a majority vote by ballot of the qual-

ified voters of Mobile county voting upon such proposition, may become indebted and may issue bonds for the construction and improvement of concrete or better than concrete surfaced public roads and concrete or better than concrete public bridges in said county, and for the construction of bridges and roadways necessary to provide a public road for vehicular traffic between the highlands of Mobile and Baldwin counties in said state, provided, however, that the total amount of bonds at any one time outstanding shall not exceed six and one-half percentum of the assessed value at that time of the property situated in Mobile county.

Section 2. That, to pay the interest on any such indebtedness and on any such bonds, and to provide for the payment of the principal thereof at maturity, the Board of Revenue and Road Commissioners of Mobile county may, when first authorized as hereinafter provided by a majority vote by ballot of the qualified voters of Mobile county voting upon such proposition, annually levy and collect tax or taxes on all property situated in said county in an amount sufficient to pay the interest maturing during that year on all such bonds at that time outstanding, together with an amount sufficient to pay the principal of any serial bonds issued under the provisions of this act, maturing during such year; provided, however, that the total amount of taxes levied in any one year for the purposes aforesaid shall not exceed in the aggregate one-half of one percentum of the assessed value of the property situated in said county, according to the last completed assessment for state taxation.

Section 3. The bonds issued by such county under the authority of this act shall mature in annual installments. The number of installments and the amount of each installment shall be determined by the Board of Revenue and Road Commissioners before the election hereinafter provided for is called, provided, however, that the number of annual installments shall not be less than ten nor more than thirty, and the first installment of principal shall fall due and be payable not later than one year after the date of issue, and the amount of the principal due in any year after the first year shall not exceed the amount of the principal due in the previous year by more than one thousand dollars, if the total amount of such issues does not exceed one hundred thousand dollars, and if the total amount of such issue exceeds one hundred thousand dollars, the amount of the principal due in any year after the first year shall not exceed the principal due in the previous year by more than five thousand dollars.

Such bonds may be issued either in registered or coupon form. If they are coupon bonds, they may be registered either as to principal or as to both principal and interest. The Board of Revenue and Road Commissioners may appoint a bank or trust company as registrar or transfer agent, and provide for the registration or transfer of bonds by such registrar or transfer agent. The form of such bond or bonds shall be as prescribed by the Board of Revenue and Road Commissioners of said county; and such bonds shall be payable at such place or places as the Board of Revenue and Road Commissioners of said county may, by resolution, designate.

Section 4. No such additional indebtedness shall be created under the terms of this act, and no such additional bonds shall be issued in accordance with this act, and no such additional tax shall be levied until each improvement or construction proposed to be built from the proceeds of such bond issue, its approximate location or locations, its estimated cost and the estimated time of its completion, and the amount of the proposed increase in indebtedness shall have been determined upon and made public by the Board of Revenue and Road Commissioners of Mobile County, in the manner hereinafter provided.

Section 5. The Board of Revenue and Road Commissioners of said county shall, from time to time, determine what concrete surfaced or better than concrete surfaced public road or roads, and what concrete or better than concrete bridge or bridges are to be constructed or improved within said county under the terms of this act.

Concrete or better than concrete surfaced roads, within the meaning of this act, shall be constructed or improved with a surface composed of bits of gravel, broken stone or slag in large or small fragments, thoroughly mixed with a cementing material, such as asphalt, Portland cement, puzolian cement, or other cementing compound or compounds, and placed in such a manner as to create an artificial stone or other material of a definitely stable nature.

Section 6. The Board of Revenue and Road Commissioners when first authorized as herein provided by a majority vote by ballot of the qualified voters of said county voting upon such proposition, may incur such indebtedness and issue such bonds and levy such tax or taxes, by this act authorized, either for the purpose of paying the entire cost of the construction or improvement of one or more concrete or better than concrete road or roads, and the bridges connected therewith, and one or more concrete or better than concrete bridge or bridges, or may incur such indebtedness and issue such bonds and levy such tax or taxes, by this act authorized, for the purpose of paying such part of such construction or improvement as is not paid by the government of the United States of America or the Highway Department of the State of Alabama, or any other agency of the state of Alabama, and to that end may join with the United States of America or the state of Alabama, or both the United States of America and the state of Alabama, in the construction or improvement, and in paying for the construction or improvements, of any one or more such roads and bridges.

Section 7. Said board of revenue and road commissioners may determine upon the construction or improvement of only one such road, and the bridges connected therewith, or only one such bridge or the construction or improvement (as one project of construction and improvement) of one or more than one such bridge or bridges, and the construction or improvement of one or more such road or roads, and may determine upon the incurring of indebtedness, the issuance of bonds, and the levying of taxes, under the provisions of this act, for the payment of a part only of the cost of such construction or improvement of one or more such roads or bridges included in such improvement (where part of the cost thereof is paid by the state of Alabama or the United States of America) or the payment of the whole of the cost of such construction or improvement of one or more such roads or bridges included in such improvement; and, in any of such events, all the roads and bridges included in such plan of improvement or construction so determined upon by said board shall be deemed and held to be one "improvement or construction", within the meaning of this act.

Section 8. Before finally and formally adopting and agreeing upon any "improvement" (as the word "improvement" is hereinabove defined) said Board of Revenue and Road Commissioners shall cause to be prepared by the County Engineer, or other engineer selected by said Board, (which engineer shall be a graduate in civil engineering of some recognized institute of technology or college or school of engineering, or be approved by the State Highway Department), preliminary maps of the road or roads, bridge or bridges, proposed to be included in such improvement, which maps shall show the approximate location and the proposed termini of each road and bridge included in such "improvement", together with a preliminary report of such engineer, stating which of such roads and bridges are to be constructed, and which of such roads and bridges are to be improved, and

describing the general character of the materials to be used in the construction or improvement of each such road or bridge. Such report may set out and describe certain alternative types of surfacing or paving, or other materials proposed to be used in the construction or improvement of such road or roads, bridge or bridges. Such report of such engineer shall also contain a preliminary estimate of the cost of the construction or improvement of each road or bridge included in such "improvement" (as the word "improvement" is hereinbefore defined) together with an estimate of the total cost of all the roads or bridges included in such "improvement", and an estimate of the time which it will take to complete the construction or improvement of each road and the bridges connected therewith, and of each bridge not used in connection with a road embraced in such improvement.

Section 9. When such preliminary maps and reports have been prepared by the County Engineer, or other engineer employed by said Board, and have been submitted to said Board, said Board shall consider the same, and may either adopt and approve or reject the same, or cause such changes to be made therein as may seem proper in the judgment of said Board, Thereupon if the Board shall decide to engage in any "improvement" (as the word "improvement" is defined in this act), the Board shall, at a regular meeting of said Board, adopt resolutions setting forth the following:

1. The road or roads (together with the bridge or bridges to be constructed or improved in connection with such road or roads) to be constructed or improved in such "improvement";

2. The other bridge or bridges, if any, to be constructed or improved in such "improvement";

3. The approximate location and termini of each such road or roads, bridge or bridges;

4. Which of such road or roads, bridge or bridges, are to be constructed, and which are to be improved or surfaced;

5. The alternative types of material to be used in the construction, surfacing or other improvement of each such road or bridge;

6. The estimated cost of construction or surfacing or other improvement of each such road or bridge;

7. The estimated cost of construction or improvement, or both, of all the roads or bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

8. What part, if any, of the cost of construction or improvement of each such road or bridge is to be borne by the United States of America or the State of Alabama, and what part is to be borne by the County of Mobile.

9. The total estimated cost of the improvement or construction of all roads and bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

10. What part of said total cost of construction or improvement of all the roads and bridges included in such "improvement" (as the word "improvement" is defined in this act) to be borne by the County of Mobile, and what part or parts are to be borne by the State of Alabama and the United States of America, respectively;

11. The total sum by which it is proposed to increase the indebtedness of Mobile County by reason of and for the construction or improvement of roads and bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

12. The time which it is estimated it will take to complete the construction or improvement of each road or roads (together with the bridges to be constructed or improved in connection with such roads), and each other bridge embraced in such "improvement", and an estimate of the time which

it will take to complete the construction or improvement of all the roads and bridges embraced in such "improvement".

The said resolution shall also state that the preliminary maps, hereinbefore provided for, and the preliminary report of such engineer are on file with the Clerk of the Board of Revenue and Road Commissioners of said county, and are open to public inspection until the election hereinafter provided for is held; and said resolution may contain any other matter which the Board of Revenue and Road Commissioners may desire to incorporate therein.

Said resolution, when so adopted by the Board, shall be published once a week for three consecutive weeks, in some newspaper published within the city of Mobile.

Section 10. Thereupon, the said Board of Revenue and Road Commissioners, at the same meeting at which the said Board adopts the resolution provided for in section 9 of this act, or at any adjournment of said meeting, or at any other regular meeting of said board held subsequent to the meeting at which the resolution provide for in Section 9 hereof is adopted, shall adopt a resolution or resolutions fixing the total amount of bonds which it is proposed to be issued by the county of Mobile, under the provisions of this act, for the purpose of paying the cost of the "improvement" as the word "improvement" is defined in this act) embraced in the resolution adopted by said Board in accordance with the provisions of Section 9 of this act, the total number of installments in which such bonds shall mature, and the amount of each installment within the limitations prescribed in Section 3 of this act) the form of such bonds the place of payment of installments of principal thereof and interest thereon, and the maximum rate of interest to be borne by such bonds, together with any other matter which the Board of Revenue and Road Commissioners may decide to incorporate in such resolution.

At the same meeting of said Board, or any adjournment thereof, or at any subsequent regular meeting of said Board, the said board shall adopt a resolution or resolutions calling an election of the qualified electors of said county, for the purpose of submitting to such qualified voters of such county the question as to whether the indebtedness of Mobile county shall be increased by the sum stated in the resolution, and whether bonds of such county in an aggregate amount not to exceed such sum shall be issued by the county of Mobile, under the provisions of this act, and as to whether a tax shall be levied by said county annually, until all such bonds are paid in full, upon all the taxable property situated in said county, at a rate sufficient to provide for the payment, at maturity, of the interest on such bonds and the principal thereof.

No second election shall be called within six months respecting the same improvement after an election has been held with a result adverse to the increasing of such indebtedness, and the issuance of said bonds, and the levying of a tax sufficient to provide for the payment of interest and principal on said bonds at maturity, in respect of such improvement; but the board may, at any time after such election resulting adversely, determine upon an "improvement" (as the word "improvement" is defined in this act) in the manner hereinabove provided, call an election in respect thereof in the manner herein provided, and such improvement in respect of which such second election is called may include one or more of the roads or bridges included and embraced in the improvement in respect of which there was an election resulting adversely, but shall not include all of the roads and bridges embraced in the first improvement in respect of which the election resulted adversely, unless the construction and improvement of other roads and bridges are added thereto and included therein. The identical proposition shall not be presented to the voters within six months after an adverse election.

Section 11. Notice of such election shall be given for thirty days by publication in a newspaper published in the city of Mobile once a week for three successive weeks, which notice shall state the purpose for which the election is to be held and the time and place for holding the same, the maximum amount by which it is proposed to increase the indebtedness of Mobile county, the maximum rate of interest which such bonds shall bear, the maximum period within which such bonds shall mature, and the number of installments and the maturity and amount of each installment, and the "improvement" (as the word "improvement" is in this act defined) to be paid for by the proceeds of such bonds and the estimated rate of tax levy which, on the basis of the last assessment of taxable property in said county for purposes of state taxation, it will probably be necessary to levy in order to provide for the payment at maturity of the interest on and the principal of such bonds so proposed to be issued. The statement of such estimated rate of levy shall not operate to prevent the board from levying such tax in such an amount each year as may, from time to time, be necessary to provide for the payment, at maturity of principal and interest on such bonds, whether the amount so actually levied is more or less than the estimated rate stated in such notice of election, provided, however, that the total levy of tax in any one year for the purpose of paying principal and interest on all bonds issued under the provisions of this act, and at that time outstanding, shall not exceed one-half of one per cent. Such notice may also contain such other matter as the board of revenue and road commissioners may decide to incorporate in said notice. Such notice shall be signed by the Judge of Probate of said county or the chairman of the Board of Revenue and Road Commissioners, or some member of such Board designated for that purpose by resolution of said Board. If no newspaper is published in said city, such notice may be published in any newspaper published in said county, and if there be no such newspaper published in said county, then the notice must be posted in five public places in the county, at least thirty days before the time of holding the election.

Section 12. The ballot used at such election must be prepared under the direction of the Probate Judge of Mobile county, and shall be substantially in the following form:

"OFFICIAL BALLOT

Of the Election to be Held on the day of, 19....., to Submit to the Qualified Electors of the County of Mobile whether or not an Additional Indebtedness of the County of Mobile in the Sum of Dollars shall be created, and Whether or Not the County of Mobile shall Issue..... Thousand Dollars in Bonds for the Purposes Hereinafter Stated, and Whether the Board of Revenue and Road Commissioners of said County shall be authorized to Levy an Additional Tax Annually, Until all Such Bonds are Paid in Full, Upon all the Taxable Property in said County, at a Rate Sufficient to Provide for the Payment, at Maturity, of the Interest on Such Bonds and the Principal Thereof.

(The creation of additional indebtedness of the County of Mobile, in the sum of (here insert the amount of the proposed increase of indebtedness) dollars (and a proposed bond issue of thousand dollars bonds of the County of Mobile, to be sold for the purpose of constructing and improving the following concrete or better than concrete surfaced roads and concrete (or better than concrete bridges in said county (here insert

() For (a short description, in general terms, of the road or roads, (bridge or bridges, to be constructed or improved, or, if the bond issue be for the construction of bridges and roadways (necessary to provide a public road for vehicular traffic between the highlands of Mobile and Baldwin counties, insert (a general description of such bridge or bridges and roadways): said bonds to bear interest at not exceeding.....

() Against (per centum per annum, payable semi-annually; said bonds (to mature serially in installments, the last installment to (be payable not later than 30 years from the date of issue (of such bonds, and to be payable at (here insert the name of the bank or other place of payment and the (address of such bank or institution designated as the place (of payment); and authorizing the Board of Revenue and (Road Commissioners to levy annually, until all such bonds (are paid in full, a tax upon all the taxable property situated (in said county, at a rate sufficient to provide for the payment, at maturity, of the interest on such bonds and the (principal thereof. Provided, however, that the total amount (of taxes levied in any one year under the provisions of the (Act of, 1927 (here insert date of approval of this act) shall not exceed, in the aggregate, one-half of one per centum."

Section 13. The chairman of the Board of Revenue and Road Commissioners of said county, or some other member of such Board designated for that purpose by resolution of said Board, immediately after the passage by said Board of the resolution calling such election, shall notify the Probate Judge of said county of the calling of such election. The Probate Judge, Clerk of the Circuit Court of said county, and the Sheriff of said county, within ten days after receipt of such notice, shall appoint three managers, two clerks, and one returning officer to conduct the election in each beat or polling place in said county; and said managers shall all reside in the beats, wards, or precincts where they are respectively appointed to serve, and shall be qualified electors at the date of said election.

Section 14. The Sheriff shall notify the managers, clerks, and returning officers of their appointments, and send out the ballots to the several beats or polling precincts in the county.

Section 15. All expenses for holding such election shall be paid out of the treasury of said county; and the managers, clerks, and returning officers shall be entitled to the same compensation as managers, clerks, and returning officers of the general election.

Section 16. The Clerk of the Circuit Court, Probate Judge and Sheriff of such county shall constitute a Board to canvass the returns and declare the results of such election. They shall meet at the court house of said county on the Saturday following the holding of said election and canvass the returns and declare the result of such election and certify and return such results to the board of revenue and road commissioners of said county. In case either of the three should be absent, the remaining two shall act.

Section 17. A contest of such election may be made by any qualified elector of the county by executing a bond, with sufficient surety, to be approved by the judge of probate of said county, for the payment of the costs of the contest. Notice of the contest shall be served on the Circuit Solicitor of said county, and said solicitor shall respond in the name of the county, and the county shall be contestee. In all courts, said contest shall be a preferred case.

Section 18. The record of the result of such election, as returned by the Board of Canvassers, shall be recorded in the minutes of the Board of

Revenue and Road Commissioners of said county, and, when so recorded, the record shall be conclusive evidence of the matters therein stated, and of the validity of such election, unless contested as hereinabove provided.

Section 19. No action shall be commenced to test the validity of any such election, or to attack the issuance of bonds pursuant to such election, unless the said action be commenced within thirty days from the date of declaring the result of said election.

Section 20. If, at any election held under and according to the provisions of this act, a majority of the qualified electors of the county voting upon such proposition vote in favor of the increase of indebtedness and the issuance of bonds and the levying annually, until all such bonds are paid in full, a tax upon all the taxable property in said county, sufficient in amount to pay, at maturity, the interest upon such bonds and the principal thereof, then the Board of Revenue and Road Commissioners of said county may incur an additional indebtedness, and may issue bonds of such county, under the provisions of this act, in the amount and for the purpose mentioned in the notice of election hereinbefore provided for; and the said county may, thereafter, until all of the said bonds and the interest thereon, are paid in full, each year levy on all the taxable property in said county a tax at a rate and in an amount sufficient to provide for the payment, at maturity, of the interest on such bonds at that time outstanding, and the principal thereof at the time each installment of principal becomes due; provided, however, that the total amount of all the taxes levied under the provisions of this act in any one year shall not exceed one-half of one percentum of the total assessed value during that tax year of all the taxable property in said county, it being the intent and purpose of this section to authorize and require the Board of Revenue and Road Commissioners of said county each year to levy a tax sufficient to pay the interest maturing during that year on all bonds theretofore issued under the provisions of this act, and at that time outstanding, and also sufficient to pay the installments of principal of such bonds theretofore issued which mature during that year, provided, however, that the total amount of all such taxes so levied under the provisions of this act (excluding, however, any tax levied under the provisions of any other act of the legislature or provisions of the constitution of the state of Alabama) shall not exceed, in the aggregate, in any one year, the rate of one-half of one percentum.

Section 21. All bonds and interest coupons attached to same issued under the provisions or authority of this act shall be exempt from state, county, and municipal taxation, and shall have all the protection of commercial paper, and such bonds and coupons shall, after the maturity thereof, be received in payment of all taxes and dues to the said county.

Section 22. No irregularity in the proceedings to authorize the issue of bonds under this act, and no omission or neglect of any officer charged with the execution of any duties imposed by this act, shall affect the validity of any bonds issued under authority of this act.

Section 23. Any bonds reciting that they are issued pursuant to the provisions of this act shall, in any action or proceedings involving their validity, be conclusively deemed to be fully authorized by this act, and to have been issued, sold, executed, and delivered in conformity herewith, and with all other provisions of law applicable thereto, and shall be incontestible, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun before or within 30 days after the day upon which the bonds are delivered and paid for.

Section 24. All bonds issued under the provisions of this act shall be signed by the chairman of the board of revenue and road commissioners of said county, or such other members thereof as may be by resolution of said board, specially designated for that purpose, and shall have impressed thereon the seal of said county, if, by resolution of said board, a special

county seal has been adopted, and if no special seal has been adopted by the county, then the seal of the probate court of said county may be adopted and used as the county seal. Interest coupons attached to the bonds shall bear a facsimile signature of the county treasurer. The delivery of bonds so executed shall be valid, notwithstanding any changes in officers or in the seal of the county, occurring after the signing and sealing of the bonds.

Section 25. Where no provisions are otherwise made in this act, the general election laws of the state then in existence, with regard to all notices, qualifications of voters, official acts, and things to be done in connection with ordering and holding elections, making returns, canvassing and certifying the same, shall govern; and all penalties fixed for wrongful acts and violations of the general election laws of the state shall apply to similar acts and violations in all elections held under this law.

Section 26. All bonds issued under the terms of this act shall be sold to the highest bidder at public sale, unless sold within thirty days after failure to receive any legally acceptable bid at a duly advertised public sale, in accordance with this section. A public sale shall be either on sealed bids or at auction. The notice of the public sale shall state whether the sale is to be on sealed bids or at auction, and shall also state the amount of the bonds to be sold, the maturities thereof, the amount payable at each maturity and either the rate of interest which the bonds are to bear, or that the bidders are invited to name the rate of interest in their bids, and shall also state the time and place of sale, or for submitting sealed bids. Such notice shall be published once in each of three consecutive weeks in a newspaper published in said county, and also in a newspaper published in each of the cities of New York and Chicago, and may be published in such other newspapers as may be ordered by the Board of Revenue and Road Commissioners of said county. The first of such three publications shall be not less than twenty days before the last date for submitting bids, if the sale is on sealed bids, or the date of sale if the sale is at auction. Said Board shall have the right to reject all bids. If no legally acceptable bids are received at any such public sale, the bonds may be sold at private sale, provided such private sale occurs within thirty days after the date fixed for said public sale, but no such private sale shall be made at a price less than the highest bid received at said public sale.

In determining the highest bidder for bonds offered for sale, the net interest cost to the county, as shown in standard bond value tables, shall govern, provided, however, that the determination of the Board of Revenue and Road Commissioners as to which bidder is the highest bidder shall be final, conclusive, and binding upon all persons whomsoever.

Section 27. The proceeds of the sale of any bonds issued under the provisions of this act shall be used only for the purposes for which the bonds are issued, provided, however, that if, for any reason, any part of such proceeds be not necessary for such purposes, such unexpended part of the proceeds shall be applied to the payment of the principal of said bonds. The cost of preparing, issuing, and marketing bonds, including all legal services in connection therewith, the cost of all engineering services in connection with the preliminary maps, and preliminary engineer's reports hereinbefore provided, the cost of the publication of the resolution of said Board, provided for in section 9 of this act, the cost of notice of and the holding of all elections required by this act, and the canvassing of returns, as hereinabove provided, and all costs and expenses incident to the construction or improvement for which the bonds are issued, including engineering costs legal fees, incidental expenses, and interest during construction, shall be deemed to be purposes for which the bonds are issued, and such costs shall be payable out of the proceeds of the sale of such bonds.

Section 28. No road shall be included in any such "improvement" (as the word "improvement" is hereinabove defined) except such as are public roads at the time, or such as may be designated as public roads, in accordance with the provisions of the laws of the state of Alabama.

Section 29. If any sentence, clause, or section of this act shall be held unconstitutional, this shall not affect any other section of this act, it being the intention of the Legislature, in enacting this law to enact each section separately.

Section 30. All laws or parts of laws, general or local, in conflict with this act, are hereby repealed, insofar as the same affect the operation of this act. This act shall take effect upon passage and approval by the Governor.

STATE OF ALABAMA,

Mobile County,
City of Mobile.

Before me, Nettie Chandler, a Notary Public in and for said State and County, this day personally appeared J. C. Ballentyne, who is known to me, and who, being by me first duly sworn, deposes and says that he is AUDITOR of the Mobile Register Co., Inc., publishers of the Mobile Register, a newspaper published in said State, County and City, and that the attached notice of intention to apply for passage of local law to authorize Mobile County to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads, et cetera, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of June 20, June 27, July 4, and July 11 A. D. 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me on this, the 12th day of July, 1927.

(Seal) Nettie Chandler,
Notary Public, Mobile County, Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

Banks and Banking S. 383.
Education S. 286; S. 380.
Local Legislation S. 377; S. 391.
Public Roads and Highways, S. 401.
Revision of Laws S. 376.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills and sends same herewith to the House:

By Mr. Williams:

S. 230. To amend Section 5619 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 244. To more fully suppress crime in the State of Alabama by regulating the punishment thereof.

Also:

By Mr. Williams:

S. 242. To amend Section 6129 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 243. To amend Section 7943 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 246. To amend Section 5004 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 249. To amend Section 10048 of the Code of Alabama, 1923.

Also:

By Mr. Teasley:

S. 381. To fix the compensation of the coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States census, or any such census which may hereafter be taken.

Also:

By Mr. Williams:

S. 208. To amend Section 7919 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 236. To repeal Section 7206 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 239. To amend Section 8643 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 234. To amend Section 7209 of the Code of Alabama, 1923.

Also:

By Mr. Fite:

S. 302. Providing a method of services of process on a non-resident of the State of Alabama for actions, suits or proceedings growing out of an accident, injury or collision happening or occurring in the State of Alabama while said non-resident is operating a motor vehicle on any public highway, street, or avenue in the State of Alabama and providing that the operation of a mo-

tor vehicle on any public highway, street or avenue by a non-resident of the State of Alabama, shall be deemed equivalent to, and shall constitute, an appointment of the Secretary of State of the State of Alabama to be his, her or its true and lawful attorney upon whom may be served all lawful processes, writs, summons and complaints in any action, suit or proceeding against said non-resident growing out of or occasioned by any accident, injury or collision happening or occurring while he, she or it is operating a motor vehicle on any public highway, street or avenue in the State of Alabama and regulating actions, suits or proceedings against said non-resident, and fixing the duties and compensation of the Secretary of the State of Alabama for services hereunder, and providing if any part, or parts, section, provisions or clause of this Act shall be void or unconstitutional no other part or parts of the Act shall be affected thereby.

Also:

By Mr. Fite:

S. 324. To fix and regulate the compensation of the registers of the circuit court in counties in the State having more than two hundred thousand population, according to the last or any succeeding Federal census, and to provide for the payment of such compensation.

Also:

By Mr. Walton (with notice and proof):

S. 162. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County; approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, as provided by law, that a bill substantially as follows will be introduced in the Legislature of Alabama, viz:

AN ACT

To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County; approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Be it enacted by the Legislature of Alabama:

Section 1: That section six of an act entitled An Act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court

of County Commissioners of said County approved February 22, 1919, be amended so as to read as follows: Section 6: Be it further enacted, that the president of said Board of Revenue shall be its presiding officer and shall sign the minutes of the proceedings of the Board of Revenue, and shall have the same power and authority as the other members in passing upon all questions, and shall sign all contracts entered into by the Board of Revenue in Sumter County.

It shall be his duty to prepare business and obtain information for the sessions of the Board of Revenue, and to see that all orders thereof are properly executed. He shall exercise all duties required of the Judge of Probate as to matters coming before the Court of County Commissioners, except it shall be the duty of the clerk of the Board of Revenue to sign all warrants drawn on the County Treasurer, and all orders for the payment or disbursement of money or funds of the county, after they have been passed upon by the Board of Revenue.

Section 2: Be it further enacted by the Legislature of Alabama that Section 7 of the act entitled An Act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said county approved February 22, 1919, be amended so as to read as follows:

Section 7: Be it further enacted, that said Board of Revenue shall elect a Clerk, who may be a member of the Board and fix his compensation, and shall require of him bond for the faithful performance of his official duties, in such amount as may be fixed by the Board; and may employ such other clerical assistance as may be necessary, and it shall be the duty of the Clerk of the Board of Revenue to attend the meetings of the Board and issue all notices required by said Board of Revenue. The Clerk shall, under the direction of the Board of Revenue, keep the minutes and proceedings of the said Board of Revenue in well bound volumes provided for that purpose. Said records to be kept in the office of the Board of Revenue, and to be open at all reasonable hours to the inspection of the citizens of the county and other interested persons, and the clerk shall perform such duties and matters as may be required of him by said Board of Revenue. The compensation of said clerk and of all other clerical assistance shall be fixed by said Board of Revenue, and his term of office shall be at the pleasure of said Board of Revenue.

Section 3: Be it further enacted by the Legislature of Alabama that Section 13 of the Act entitled An Act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, approved November 1, 1921, be amended so as to read as follows:

Section 13: Be it further enacted, That there shall be elected at the general election in the county of Sumter, in the year 1926, and every six years thereafter, one members from District No. 2, and one member from District No. 3, who shall qualify within fifteen days after the returns shall have been canvassed and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January, next after their election, and shall hold their offices for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1928, and every six years thereafter, one member from District No. 1 and one member from District No. 6, and a President from the county at large who shall qualify within fifteen days after the returns shall have been canvassed, and shall enter upon the discharge of their duties on the first Monday, after the Second Tuesday in January, next after their election, and shall hold office for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1930, and every six years thereafter on member from District No. 4 and one member

from District No. 5, who shall qualify within fifteen days after the returns have been canvassed, and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January next after their election, and shall hold office for a term of six years, and until their successors are elected and qualified.

That the qualified voters of the county shall be eligible to vote at any election for any member from any District and that the President may reside in any District in the County.

THE STATE OF ALABAMA,

Sumter County.

Before me W. W. Patton, A Notary Public in and for said State and County personally came W. H. Lawrence, who being first duly sworn deposes and says: That he is publisher of Our Southern Home, a weekly newspaper published in Sumter County, Alabama, that the attached notice of a bill to amend an act relative to the Board of Revenue of Sumter County was published in his paper for four consecutive weeks, beginning with the issue of 19th day of January, 1927 and the three issues immediately succeeding.

W. H. Lawrence.

Sworn to and subscribed before me on this the 10th day of February, 1927.

W. W. Patton, Notary Public.

Also:

Mr. Williams:

S. 374. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare, and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1; The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvement against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article of the Constitution of Alabama." Section 1. The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such dis-

tricts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the constitution was read one time at length and referred to the standing committee on Constitution and Constitutional Amendments.

Also:

By Mr. Fite (with Notice and Proof):

S. 356. To establish an inferior court in Precinct 42, lying within or partly within the city of Birmingham, Ala., in lieu of all Justices of the Peace heretofore created in Precinct 42 and to define the jurisdiction and power of said court and Judge and Clerk and other officers thereof, the salary of said officers,

place of holding the same and the qualifications and compensation of the judge thereof.

With Notice and Proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that there will be introduced in the present session of the Alabama Legislature, the following bill:

AN ACT

To be entitled an Act, To establish an inferior court in precinct 42, lying within or partly within the city of Birmingham, Alabama, in lieu of all justices of peace in said precinct, and in lieu of all other inferior courts, in lieu of justices of peace, heretofore created in said territory, and to define the jurisdiction and power of the said court, and judge, clerk, and other officers thereof, the salary of said officers, the place of holding the same, and the qualifications and compensation of the judge thereof.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created and established an inferior court in precinct 42, lying within or partly within the city of Birmingham, Alabama, which shall be known and designated as the Municipal Court of North Birmingham, Alabama. The said court shall have all the powers and jurisdiction now conferred or that may be hereafter conferred by law on justices of peace; and the judge of said court shall exercise and have all the power and authority perform all the duties now prescribed, or that may hereafter be prescribed by law for justices of peace.

Section II. Be it further enacted that the Judge of said Court shall be appointed by the Governor within 15 days after the approval of this act and shall hold office until the first Monday after the second Tuesday in January, 1929, and until his successor is elected and qualified. That at the general election in 1928 and every four years thereafter, a successor is elected and qualified: That at the general election in 1928 and every four years thereafter, a successor shall be elected to said Judge by the qualified electors of said precinct, who shall hold office for the full term of four years, and until his successor is elected and qualified.

Section III. That all vacancies in the office of the judge of said court shall be filled by appointment of the judges of the courts of record of Jefferson County, Alabama, not including the Judge of the City Court of Bessemer.

Section V. That the judge of said court shall receive an annual salary of Thirty Six Hundred Dollars, payable monthly out of the county treasury upon his warrant drawn upon the county treasurer.

Section VI. That the judge of said court shall appoint a clerk of said court who shall give bond in the penal sum of Two Thousand Dollars, payable to the State of Alabama, and conditioned to faithfully discharge the duties of his office, which bond shall be approved by and filed in the office of the Judge of Probate of Jefferson County, Alabama; also conditioned to pay over all moneys to the proper officers and persons to whom it is payable and to faithfully account for all moneys coming into his hands by virtue of his office and upon the said bond there shall be the same liabilities and remedies as upon a bond of a clerk of the Circuit Court; said Clerk shall receive an annual salary of Twenty Four Hundred Dollars, payable monthly out of the county treasury upon warrants drawn by him upon the county treasurer; the clerk of said court, should the business of said

court justify it, shall have the authority to appoint a deputy clerk, with the consent of the judge of said court, who shall receive a salary of Eight Hundred and Forty Dollars per annum, payable monthly, upon his warrant drawn upon the county treasurer; and said deputy clerk shall be a male or female.

Section VII. That the clerk of said court shall issue all processes out of said court, except the warrants of arrest and writs of commitment, which shall be issued by the judge of said court; the clerk shall approve all bonds in civil cases; and he shall keep a docket of said court; shall certify all appeals and certioraries, but all judgments, when required to be signed, shall be signed by the judge of said court. The fees and costs that are now allowed by law to Justices of Peace, in Jefferson County, shall be taxed and collected as now provided by law, in such cases, as may hereafter be provided by law in such cases, and shall, by the clerk of said court, be paid into the county treasury. The constable of said precinct and the sheriff of said county, shall be officers of said court and shall execute all processes from said court and make due returns thereof, and for their compensation shall receive the same fees as now provided by law for like services in the Courts of Justice of Peace in Jefferson County, which fees shall be paid to the constable and sheriff and not into the county treasury.

Section VIII. That the judge of said court may punish for contempt in cases where the judge of the Circuit Court can punish for contempt by a fine not exceeding fifty dollars and by imprisonment not exceeding five days.

Section IX. That said court shall have no final jurisdiction of criminal cases, misdemeanors or other criminal process, nor shall said court have any jurisdiction as a committing magistrate in criminal cases of any nature.

Section X. That the law relating to appeals and certiorari in cases from courts of justices of peace shall apply to appeal and certiorari cases from the court established by the provisions of said act.

Section XI. That said court shall have, as against all justices of peace, and other inferior courts in lieu of justices of peace in said county, exclusive jurisdiction of civil cases defined as to amount and kind in section one of this act, where the defendant or defendants reside in precinct 42 of Jefferson County, except where the cause of action arose in or the contract sued on was made in the precinct of the residence of the justice attempting to exercise jurisdiction, or where one or more of the co-defendants resides in the precinct of said justice of peace or notary public. Any plaintiff, his agent or attorney, who institutes a suit against a defendant or defendants who resides in precinct 42 in Jefferson County, Alabama, before any justice of peace, notary public ex-officio justice of peace, or inferior courts created in lieu of justices of peace other than this court, of a precinct other than that in which the cause of action arose, or the contract was made, or of which one of the defendants is a resident, may be restrained by the judge from prosecuting said suit, and the judge of this court may issue a rule to said plaintiff, his agent, or attorney, to show cause why said suit, garnishment or other process alleged to have been brought in violation of this section should not be dismissed and may upon a hearing of said rule, order the plaintiff, his agent or attorney, to dismiss said suit, garnishment or other process, if wrongfully instituted, and may punish for contempt the next disobedience of said order or orders. The plaintiff, his agent or attorney, shall have the right to appeal to the circuit court, or courts of like jurisdiction, from said order within five days from the rendition of the same, upon the execution of a bond to be fixed, in sum, by the court, not in excess of two hundred dollars, payable to the defendant

and conditioned to pay the defendant all such damages as he may suffer by reason of the wrongful taking out of such appeal.

Section XII. That said court shall have jurisdiction in civil cases where the amount involved does not exceed one hundred dollars, except in cases of libel, slander, assault and battery, and ejection.

Section XIII. That the owner of any judgment or decree for fifty dollars, or over, rendered by this court, may file the same in the office of the judge of probate under the same procedure and in the same manner as now provided or which may hereafter be provided for filing judgments of courts of record, which judgment, when so filed and recorded, shall be a lien upon all the property of the defendant when registered, which is subject to levy and sale under execution; and such lien shall continue for six years from the date of registration, the registration of the judgment or decree shall be notice to all persons of the existence of a lien.

Section XIV. That said court shall be always open, except Sundays; that said court shall have power to set aside, vacate, or modify its judgments upon motion made within five days after the rendition of the same, which motion shall be promptly determined; and said court may hold court and render default or other judgments at any time between the hours of 9 o'clock A. M. and 6 o'clock P. M., and all processes of the said court where no time is otherwise fixed shall be returnable at nine thirty of the return day.

That it shall be the duty of the Board of Revenue of Jefferson County, Alabama, to select a suitable place that said court shall be held at all times within beat 42, Jefferson County, and it shall be the duty of the board of revenue of Jefferson County, Alabama, to select a suitable place for holding said court in said beat 42, and a suitable court room therein, at the expense of Jefferson County, Alabama, and also to provide all necessary dockets, books, and other supplies for the use of said court, and shall provide for the payment of the rent of the court room in case same is rented, and other incidental expenses.

Section XV. If the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, it shall be the duty of the judge of probate upon the request of said judge, or written notice of the clerk of said court, to appoint some suitable person, resident of said precinct, and qualified elector thereof, as special judge, or some practicing attorney, resident of the city of Birmingham, and qualified elector, as special judge, who shall perform all the duties imposed upon the judge of said court, during the illness, disqualification or inability of said judge, which said special judge shall receive the same compensation as the regular judge of said court.

Section XVI. In case of emergency, the judge of said court may appoint a suitable person to act as constable without bond, except as herein provided; and the person so appointed must perform the same duties and is liable to the same pains and penalties and is entitled to the same fee and compensation as regular constables; but such special constable is not authorized to levy or collect executions, attachments, or writs of detinue, unless prior to the levying or collecting of executions, attachments, or writs of detinue, he execute a bond in the sum of twice the amount of the value of the property to be levied on payable to the defendant as is required by Section ??? of the Code of Alabama of 1923, which sureties to be approved by the judge appointing such special constable.

Section XVII. The summons must be issued by the clerk of the court, and accompanied by the complaint of the plaintiff, or the cause of action endorsed on the summons setting forth the cause of action. The summons must be executed by the constable, special constable, sheriff or other officer by leaving a copy of the summons and complaint, or summons with

the cause of action endorsed thereon, with the defendant, which fact he must return with the process.

Section XVIII. It shall be the duty of the clerk of said court to issue an execution on all judgments rendered in said court, after five days from the entry thereof, and place the same in the hands of the constable or sheriff who shall return the said execution within thirty days thereafter, said return to show that he has collected said judgment, and has paid the same or the amount collected or is unable to find property of the person against whom said process issued, out of which said execution can be satisfied in whole or in part.

Section XIX. That if it shall appear to the auditor in any case in said court where an execution has been returned unsatisfied, as to the costs of said cause, and in the opinion of the auditor said costs can be collected by an alias execution, the auditor may direct the clerk of the court to issue an alias execution, and may direct the sheriff or constable as to what property may be levied upon to satisfy said judgment.

Section XX. That in each cause filed in said court there shall be a fee of fifty cents taxed which shall be taxed and collected as other costs are collected, and shall with other costs be paid into the county treasury.

Section XXI. That all laws affecting or regulating the practice or procedure of courts of justice of peace shall be applicable to the court herein established.

Sec. XXII. That the judge of said court elected in the general election in 1928 and every succeeding judge of said court elected thereafter shall be a resident and qualified elector of Precinct 42.

Section XXIII. That all laws, general, special, or local in conflict with this Act be and the same are hereby repealed. That this Act shall take effect immediately after its approval by the Governor.

STATE OF ALABAMA, Jefferson County.

Before me, Mrs. O. D. Tanner, a Notary Public, in and for the aforesaid county and state, personally appeared Will Smith, who being by me first duly sworn, deposes and says, on oath that he is publisher of The North Birmingham Star, a weekly newspaper published in Jefferson County, Alabama, and he further deposes and says that said newspaper is a newspaper of general circulation in Jefferson County, Alabama, and that the attached bill, or Local Bill for Legislative enactment was published for four consecutive weeks in said newspaper on the following respective dates, to-wit:

June 9, 1927;
June 16, 1927;
June 23, 1927;
June 30, 1927.

Will Smith,
Affiant and publisher of The North Birmingham Star.

Sworn to and subscribed before me on this the 5th day of July, 1927.

(Seal) Mrs. O. D. Tanner,
Notary Public.

Also:

By Mr. Williams:

S. 202. To regulate the empanelling, qualifying and selecting of jurors in civil causes sounding in damages, in which insurance companies, not parties to the cause, are financially interested,

and repealing all laws in conflict with the provisions of this Act.

Also:

By Mr. Ellis of Dallas:

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the State of Alabama.

Also:

By Mr. Ellis of Dallas (with Notice and Proof):

S. 396. To amend sections 5 and 14 of an act approved August 28, 1923, entitled an act to establish an inferior court in precinct 36 in Dallas county, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following amendment to the Inferior Court law of Dallas County will be offered for passage by the Legislature of Alabama at its session in June, 1927,

A Bill to be Entitled An Act to amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to defend the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide

a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precincts of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 5 of said Act be amended so as to read as follows:

Section 5. Be it Further Enacted that the judge of said Court shall receive a salary of eighteen hundred dollars per annum, payable monthly out of the inferior Court fund upon warrant drawn upon the court depositary by the Probate Judge of Dallas County, Alabama, in the event there is not sufficient money in said fund to pay the salary of the judge within any particular month, the judge shall be entitled to draw out of said fund in any month that sufficient funds are in said Inferior Court fund any back salary that may be due, provided, however, that no salary shall be paid any judge after his term of office has expired, unless there be a sufficient amount of money in said Inferior Court fund at the time of the expiration of his office. Provided, that the Probate Judge of Dallas County, Alabama, is hereby empowered to cover from said Inferior Court Fund into the general treasury of said county at the end of each calendar year, any sums of money to the credit of said Inferior Court fund at such time in excess of one thousand dollars. Provided further, that the Probate Judge shall be entitled to receive for his compensation for receiving, paying out and accounting for said funds, two and one half per centum commissions on the funds of said court.

Section 2. Be it further enacted: That section 14 of said Act be amended so as to read as follows:

Section 14. That on the first Monday of each month the Probate Judge of said County shall pay to the Sheriff of said county the sum of fifty dollars for services rendered said court as required by law, which sum shall be paid by warrant issued to said Sheriff by said Probate Judge and drawn on said Inferior Court fund.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

J. E. Gaddy,

THE STATE OF ALABAMA,

County of Dallas.

Before me, H. F. Reese, a notary public in and for said county in said state personally appeared Mrs. M. H. Raiford, who being first duly sworn, deposes and says that she is the Business Manager of the Selma Times-Journal, a newspaper published in said county; that the attached notice was duly published in said Times Journal, once a week for four successive weeks; that the date of said publications was June 11, June 18, June 25, and July 2, 1927, and that said publication was without cost to the said state or county.

M. H. Raiford,

Sworn and subscribed to before me this 18th day of July, 1927.

H. F. Reese,

Notary Public, Dallas County, Alabama.

Also:

By Mr. Cowan:

S. 363. To amend Sections 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 358 and 359, Code of Alabama 1923, and

to repeal Section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing Chapter 18, Volume 1, of said Code.

Also:

By Mr. Edgar:

S. 287. To further regulate the issuance, collection and settlement of executions in cases tried or disposed of in the circuit courts of the State other than criminal cases.

Also:

By Mr. Edgar:

S. 288. To further regulate the issuance, collection and settlement of executions for fines, costs and forfeitures in criminal cases.

Also:

By Mr. Edgar:

S. 289. To amend Section 3810 of the Code of Alabama of 1923.

Also:

By Mr. Craft:

S. 400. To provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the board of School Commissioners of Mobile County may, during the twenty (20) year period hereinafter mentioned, issue and sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand (\$3,500,000.-00) Dollars, proceeds from the sale of which may be used for the purchase of sites, the erection of buildings, the furnishing of facilities for mental, manual and physical training; and the furnishing of equipment for public educational purposes, as distinguished from maintenance and operation of public schools; the refunding or the payment and retirement of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board or not, incurred for capital expenditures, as distinguished from indebtedness incurred for maintenance and operation of public schools; providing the maximum rate of interest thereon, the maximum date of maturity of said bonds, and the levying of a special annual tax by the Board of School Commissioners of Mobile County, not exceeding Three-tenths ($\frac{3}{10}$) of one (1) per centum of the assessed value of all property in Mobile County to pay the interest and provide for the payment at maturity

of such bonds, which tax shall be in addition to all other taxes now authorized or which may hereafter be authorized by law, and providing that the power to levy said tax shall cease to exist at the expiration of twenty (20) years from the date of the first issue of bonds thereunder; and providing further that the issuance of such bonds and the levying of such taxes be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may, during the twenty year period hereinafter mentioned, issue and sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand (\$3,500,000.00) Dollars, proceeds from the sale of which may be used for any one or more or all of the following purposes:

(a) The purchase of sites, the erection of buildings, the furnishing and equipping of same; the furnishing of facilities for mental, manual and physical training, and the furnishing of equipment for public educational purposes; as distinguished from maintenance and operation of public schools.

(b) The refunding or the payment and retirement, either or both, of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board of School Commissioners of Mobile County or not, incurred by said Board for capital expenditures on behalf of the public schools of Mobile County; as distinguished from indebtedness incurred for maintenance and operation of said public schools.

Such bonds shall bear a rate of interest not greater than Six (6%) per centum per annum, payable semi-annually; provided that no bonds issued hereunder shall run for a longer period than twenty (20) years from the date of the issue of the first bonds hereunder. To provide for the payment and retirement of said bonds at maturity and to pay the interest on said bonds, the Board of School Commissioners of Mobile County may, from time to time in its discretion, levy and collect annually a tax on all property situated in Mobile County, in such sum as will be in its judgment sufficient to pay the interest upon and provide for the payment at maturity of all bonds then outstanding or the is-

sue of which is then contemplated, provided that such levy shall never in any one year exceed the rate of Three-tenths ($\frac{3}{10}$) of One (1) per centum of the value of all such property as assessed as is provided by law; which said tax of not exceeding Three-tenths ($\frac{3}{10}$) of One (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901; which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding Three-tenths ($\frac{3}{10}$) of One (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that the right and power hereby vested in the Board of School Commissioners of Mobile County to levy and collect the aforesaid tax shall cease to exist at the expiration of twenty (20) years from the date of the first issue of bonds hereunder; and provided further that the plan of issuing bonds and levying a tax to pay interest thereon and providing for the payment of said bonds at maturity, as herein provided for, be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election; and provided further that to bring into being the said power and authority to issue bonds and levy taxes as aforesaid, it shall be necessary to have only one election by the qualified voters of Mobile County to approve the entire plan.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional amendments.

Also:

By Mr. Craft:

S. 399. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an

amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth ($1/10$) of one (1) percentum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy or such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth ($1/10$) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax of not exceeding one - tenth ($1/10$) of one (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901, which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding one-tenth ($1/10$) of one (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the standing committee on Constitution and Constitutional Amendments.

Also:

By Mr. Hall (with notice and proof):

S. 378. To repeal An Act entitled An Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act", approved September 28th, 1923.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF APPLICATION TO REPEAL LOCAL ROAD LAW FOR HENRY COUNTY, ALA.

Notice is hereby given, that the Commissioner's Court at its June Term 1927 recommended repeal of the local road law of said county, and ordered published, notice of the application to be made to the legislature for such repeal, the repealing act of which is hereinafter following.

H. W. Owens, Probate Judge,
Henry County, Ala.

AN ACT

To repeal an act entitled an act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act." approved September 28th, 1923.

PROOF BY AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,

Henry County.

Before me, H. W. Owens, Judge of Probate in and for said County in said State, personally appeared H. C. Rodgers, who is known to me and

known to be a credible person, and who, on oath duly administered, deposes and says, as follows:

That he is Associate Editor of the Abbeville Herald, a newspaper published weekly in the Town of Abbeville in said county, and has charge of publications made in said paper;

That the aforesaid notice of intention to apply to legislature for enactment of a Road and bridge law for said county, together with said law in full, the caption of which is as aforesaid, entitled "An Act" etc., was published in said newspaper for four consecutive weekly publications, on dates of June 16th, 23rd and 30th, also July 7th, 1927.

H. C. Rodgers,
Manager.

Sworn to and subscribed before me, this, the 13th day of July, 1927, at Abbeville in said county and State.

H. W. Owens,
Judge of Probate.

(Seal)

Also:

By Mr. Hall (with notice and proof):

S. 379. To further provide for construction and maintenance of the public roads and bridges of the county of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said county; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said County to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this Act, all of which under directions of the commissioner's court of said County; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date of this Act to take effect."

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR ROAD AND BRIDGE LAW FOR HENRY COUNTY

Notice is hereby given, that the Commissioner's Court of Henry County, Alabama, at its June Term 1927, recommended enactment of the following Road and Bridge law for said county, and ordered published that notice of intention to apply for such enactment, will be made.

H. W. Owens, Probate Judge.
Henry County Alabama.

AN ACT

Entitled an Act, "To further provide for construction and maintenance of the public roads and bridges of the County of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said county; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all

funds of said county to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this act, all of which under directions of the commissioner's court of said county; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith and fixing date for this act to take effect."

PROOF BY AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Henry County.

Before me, H. W. Owens, Judge of Probate in and for said county in said state, personally appeared H. C. Rodgers, who is known to me and known to be a credible persons, and who, on oath duly administered, deposes and says, as follows

That he is Associate Editor of the Abbeville Herald, a newspaper published weekly in the Town of Abbeville in said county, and has charge of publications made in said paper;

That the aforesaid notice of intention to apply to legislature for enactment of a Road and bridge law for said county, together with said law in full, the caption of which is as aforesaid, entitled "An Act" etc., was published in said newspaper for four consecutive weekly publications, on dates of June 16th, 23rd and 30th, also July 7th 1927.

H. C. Rodgers,
Manager.

Sworn and subscribed to before me, this, the 13th day of July 1927, at Abbeville in said county and State.

H. W. Owens,
Judge of Probate.

(Seal)

Also:

By Mr. Warren (with notice and proof):

S. 335. To reduce the boundaries of the corporate limits of the city of Tuscaloosa, Alabama.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the adjourned Session of the 1927 Session of the Legislature of Alabama, which reconvenes on June 7th, 1927, in substance as follows:

A Bill to be entitled an act to reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

Be it enacted by the Legislature of Alabama:

Section One. That all of that tract of land included within the following boundaries, viz: Beginning at a point on the west bank of the Warrior River where the center line north and south through Section Twenty-One (21) Township 21 South, Range 10 West, intersects the low water mark on said west bank of said river, and running thence south along said center line through said section 21, and along the center line through Section 28, to the south line of said Section 28, thence east along the south line of said Section 28, and Section 27, to the intersection of the same with the extension southwardly of the west line of Cherry Street, as said street is shown on the plat of the survey of the Tuscaloosa Development Company, thence

eastwardly along the said west or north line of said Cherry Street and the extension southwardly of the same to an intersection with the said line of said Section Twenty-Seven (27) thence east along the south line of said Section 27 to the center of said Section 27, thence north along the center line of said Section 27, to the north margin of the road which lies on the south side of the F. E. Shide Survey, thence eastwardly along the north margin of said road to the southeast corner of said F. E. Shide Survey, thence northwardly along the east side of said F. E. Shide Survey to the south margin of South Eighth Avenue extended westwardly, as said South Eighth Avenue is shown on the plat of the Tuscaloosa Coal Iron and Land Company Survey, thence eastwardly along the South margin of said South Eighth Avenue and the extension westwardly of the same to the west line of East Second Avenue, according to said Tuscaloosa, Coal Iron and Land Company Survey, thence southwardly along said west line of said East Second Avenue and the extension southwardly of the same to its intersection with the south line of Section 26, thence eastwardly along the south line of said section 26, to the southeast corner of the southwest quarter of the southwest quarter of said Section 26, thence north parallel with the west line of Section 26, to the north margin of the Hargrove Road, thence eastwardly along north margin of the Hargrove Road to the intersection of the same with the center line north and south through Section 25, Township Twenty-One South, Range Ten West, thence north along said center line through Section 25 and through Section 24, to the south margin of the right of way of the Alabama Great Southern Railway thence eastwardly along said south margin of said right of way to a point two thousand one hundred fifty (2150) feet eastwardly from the west line of Section 19, Township Twenty-One South, Range 9 West, thence north to the south margin of the Huntsville Road, thence westwardly along said south margin of said Huntsville Road to a point Four Hundred (400) feet westwardly from the west line of Section 24, Township 21 South, Range Ten West, thence north parallel with the said west line of said Section 24, to an intersection with the South margin of the right of way of the main line of the Louisville and Nashville Railroad, thence eastwardly along the said south margin of said right of way to the intersection of the same with the east line of the northwest quarter of the southwest quarter of Section 18, Township Twenty-One South, Range Nine West, thence north to the low water line on the west bank of the Warrior River, thence southwardly along said low water line on said west bank to the point of beginning; shall be and shall constitute the City of Tuscaloosa, and shall be designated and known by the name of the City of Tuscaloosa.

Section Two. Be it further enacted, that all laws, general and special, in conflict with this act are hereby repealed. Provided, however, that nothing herein contained shall affect the rights, privileges and immunities heretofore granted by the laws of this State to the University of Alabama and to the Alabama Insane Hospital.

STATE OF ALABAMA,
Tuscaloosa County.

Before me, the undersigned Robert H. Allright a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of June 5th, 1927, and

the following three publications in the issues of said newspaper were June 12, 20, 26, respectively.

Aaron Miller.

Sworn to and subscribed before me this 28th day of June, 1927.

(Seal)

Robert H. Allright,
Notary Public.

Also:

By Mr. Warren (With N. & P.):

S. 336. To authorize and empower the city of Tuscaloosa Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said City and State.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the adjourned Session of the 1927 session of the Legislature of Alabama, which reconvenes on June 7th, 1927, in substance as follows:

A Bill to be entitled an act to authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said City and State.

Be it enacted by the Legislature of Alabama:

Section One. That the Board of City Commissioners of the City of Tuscaloosa, Alabama, be and they are hereby authorized and empowered to sell and convey for public or private purposes and public or private use all or any part of the following described property lying and being in Township Twenty-one (21) South Range Nine (9) West in Tuscaloosa County, Alabama, namely:

Begining at a point where the boundary line between the property of the Central Iron and Coal Company and the Alabama Insane Hospitals intersects the low water line on the east bank of the Black Warrior River and running thence eastwardly along said boundary line to its intersection with the west line of the public road from Holt to Alberta City; thence following the said west line of said public road southwardly to a point on the west side of said road where the said public road crosses Duck Pond branch at which crossing there is now a concrete culvert, the said Duck Pond branch being the branch which lies immediately North of the Hospital farm buildings as now located, and which empties into the Black Warrior river near the starting point of this description; thence South thirty-five (35) degrees fifty (50) minutes west a distance of Six Hundred fifty-nine and 9-10 (659.9) feet to a point on the west side of the private road leading from the Hospital farm buildings to the main building of the Bryce Hospital of the Alabama Insane Hospitals, thence following the west side of said private road which is more particularly described by the following courses and distances; South eighty-two (82) degrees eleven (11) minutes West a distance of one hundred seventy-nine and 25-100 (179.25) feet to a point; thence South sixty-two (62) degrees thirty-eight (38) minutes west a distance of two hundred fifty-seven and 16-100 (257.16) feet to a point; thence South fifty-one (51) degrees forty-two (42) minutes West a distance of eleven hundred and forty-one (1141) feet to a point; thence South forty (40) degrees thirty one (31) minutes West a distance of five hundred one and 4-10 (501.4) feet to a point; thence South twenty-six (26) degrees thirty-five (35) minutes West a distance of seven hundred and twelve and 4-10 (712.4) feet to a point; thence South

thirty-two (32) degrees twelve (12) minutes West a distance of one hundred sixty-one and 3-10 (161.3) feet to a point; thence south twenty-two (22) degrees twenty-six (26) minutes West a distance of two hundred and seventy and 9-10 (270.9) feet, to a point; thence South twenty-nine (29) degrees fifty-one (51) minutes West a distance of one hundred and sixty-three and 1-10 (163.1) feet to a point; thence South thirty-seven (37) degrees three (3) minutes West a distance of ninety-five and 6-10 (95.6) feet to a point; thence South fifty-one (51) degrees eight (8) minutes West a distance of one hundred seven and 9-10 (107.9) feet to a point; thence South sixty-seven (67) degrees eighteen (18) minutes West a distance of two hundred eighty-three and 6-10 (283.6) feet to a point; thence South fifty-six (56) degrees forty (40) minutes West a distance of five hundred forty-two and 3-10 (542.3) feet to a point; thence South thirty-seven (37) degrees thirty-six (36) minutes West a distance of one hundred and fifty-six (156) feet to a point; thence South twenty-four (24) degrees forty-six (46) minutes West a distance of two hundred and fifty-two (252) feet to a point; thence South thirty-three (33) degrees fifty-two (52) minutes West a distance of three hundred fourteen and 3-10 (314.3) feet to a point; thence South eight (8) degrees twenty-two (22) minutes West a distance of three hundred fifty-six and 8-10 (356.8) feet to a point; thence South ten (10) degrees six (6) minutes West a distance of one hundred forty-nine and 3-10 (149.3) feet to a point; thence South thirty-two (32) degrees forty-nine (49) minutes West a distance of one hundred eighty and 1-10 (180.1) feet to a point; thence South seventy-eight (78) degrees thirty-eight (38) minutes West a distance of one hundred one and 5-10 (101.5) feet to a point; thence North eighty-two (82) degrees twenty-five (25) minutes West a distance of one hundred and eighty-five and 6-10 (185.6) feet to a point where the said west side of said private road intersects the west line of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 18; thence along the said west line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section Eighteen (18) and the west line of the East Half of the Northwest Quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$) of said Section Eighteen (18) northwardly to the low water line on the east bank of the Black Warrior river, thence following the said low water line of said river Northeastwardly to the point of beginning; excepting from the above described tract of land the rights of way of the Tuscaloosa Railway and Utilities Company and of the Louisville and Nashville Railroad Company. All of the above described property is situated in Section Seven (7), Eight and Eighteen (18), Township Twenty-one (21) South, Range Nine (9) West.

Also a right-of-way for a road, railroad or electric railway 100 feet in width from the Eastern boundary of the above described tracts of land to the Warrior Southern Railroad over the Northeast portion of the remaining lands of the Alabaam Insane Hospitals provided, however, that such right-of-way shall not be located nearer than 100 feet to any of the buildings as now located of the said Alabama Insane Hospitals.

Section Two. All laws or parts of laws in conflict herewith are hereby repealed.

STATE OF ALABAMA,

Tuscaloosa County.

Before me, the undersigned Robert H. Allright, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the legislature for the

enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of June 5th, 1927, and the following three publications in the issues of said newspaper were June 12, 20, 26, respectively.

Aaron Miller.

Sworn to and subscribed before me this 28th day of June, 1927.

Robert H. Allright,
Notary Public.

(Seal)

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing message from the Senate were severally read one time and referred to appropriate standing committees as follows:

Judiciary, S. 230; S. 244; S. 242; S. 243; S. 246; S. 208; S. 236; S. 239; S. 302; S. 324; S. 356; S. 202; S. 287; S. 288; S. 289.

Commerce and Common Carriers, S. 249.

Local Legislation, S. 381; S. 162; S. 396; S. 378; S. 379; S. 335; S. 336.

Corporations, S. 234.

Municipal Organization, S. 375.

Public Health, S. 363.

Constitution and Constitutional Amendments, S. 374; S. 399; S. 400.

RECESS.

On motion of Mr. Hollis, the House recessed until 3 o'clock this afternoon.

AFTERNOON SESSION

The hour of three o'clock P. M. having arrived the House reconvened.

REPORT OF STANDING COMMITTEE ON RULES.

Mr. Tunstall, Vice-Chairman of the Standing Committee on Rules, returned to the House, with a favorable report, the Senate Substitute to H. J. R. 93, said Senate Substitute being as follows:

Substitute for H. J. R. 93. "Resolved by the House, the Senate concurring, that the State Tax Commission be requested to

make a careful and thorough investigation of the increased income to the State under the provisions of the new revenue bill and make report thereof to the House and Senate at the earliest practical moment."

And the Senate Substitute to H. J. R. 93 was adopted.

BILL ON THIRD READING.

H. 611 (with substitute). To provide for the regulation and operation by persons, firms, or corporations of what is known as chain stores and to fix a license for same.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means. Said substitute being as follows:

A committee substitute for House Bill No. 611.

A BILL.

To be entitled, an act to levy a license tax upon any person, firm or corporation owning, controlling or operating a chain of stores where goods, wares or merchandise are retailed to fix the amount of such license tax and to define a "Chain of Stores." Be it enacted by the Legislature of Alabama:

Section 1. Any person, firm or corporation, it or their servants or agents owning, operating, controlling or running, directly or indirectly under trade names, or otherwise, a "Chain of Stores" for the sale of goods, wares or merchandise of any kind whatsoever shall pay to the State of Alabama for each store so operated in Alabama a license tax of Two Hundred and Fifty (\$250.00) for each year or part of year such store is so operated.

Section 2. A "Chain of Stores" is hereby defined as five or more stores owned, in whole or in part, operated, separately or under common trade name, controlled, directly or indirectly or run directly or indirectly, by the same person, firm or corporation where goods, wares or merchandise of any kind whatsoever are sold at retail, provided the license in this schedule provided for shall not apply to stores the bulk of whose sales are made to the employees of the owner of the stores. "Chain Stores" as herein employed, shall not include any person, firm or corporation operating stores contiguous to an industrial plant or plants and in which stores fifty per cent or more of the retail business done is with the officers, agents or employees of such plant or plants, under contract with such contiguous plant or plants.

Mr. Ashcraft offered the following amendment to the substitute reported by the Standing Committee on Ways and Means:

Amend the substitute to the bill by adding to the end of the bill the clause:

"Provided the provisions of this bill shall not apply to farmers selling their products at as many different places as they may desire or find a market."

And the amendment offered by Mr. Ashcraft to the substitute was adopted.

Mr. Miller of Sumter moved to recommit the Bill H. 611 and substitute and amendment to the standing committee on Ways and Means, and on motion of Mr. Frey the motion of Mr. Miller of Sumter was laid upon the table.

Yeas, 66; nays, 25.

Yeas:

Messrs.:

Mr. Speaker	Goode	Monk	Shepherd
Adcock	Green	Morrow	Shivers
Allen	Gullatt	Moxley	Starnes
Anderson	Harwood	Nipper	Stephens
Baldwin	Hawkins	Norman	Stewart (Bibb)
Bartlett	Hubbard	Owens	Stewart (Calhoun)
Brunson	Hughes	Parish	Thompson
Bryant	Jeter	Pegues	Tompkins
Burleson	Jones (Cleburne)	Pitts	Tunstall
Burns	Jordan (Etowah)	Poole	Wallace
Cannon	Jordan (Washington)	Powell	Ward (Geneva)
Cockrell	Kirkpatrick	Reeder	Ward (Tuscaloosa)
Darden	Langdon	Ringer	Ware
Desear	Luck	Rogers (Elmore)	Webb
Edwards	McAdory	St. John	Weldon
Frey	Martin	Sanderson	Winn
Golson	Matthews		

—66

Nays:

Messrs.:

Ashcraft	Graves	Merrill	Rivers
Byars	Grove	Miller (Marengo)	Rogers (Mobile)
Christian	Hightower	Miller (Sumter)	Sanders (Pike)
Cook	Hollis	Mullen	Simpson
Deloney	Johnson	Quillin	Vickers
Denson	Lovelace	Rankin	Waddell
Goodwyn			

—25

Mr. Goodwyn offered the following amendment to the substitute:

Amend by adding to Section 2 the following: Nor to sales agencies or stores organized by or for any manufacturer to sell its own products and on which agencies or stores a license now is required by law.

And on motion of Mr. Sanderson the amendment offered by Mr. Goodwyn was laid on the table.

Mr. Miller of Sumter offered the following amendment to the substitute:

Amend Substitute for House Bill 611 by adding thereto the following provision: Provided this Act shall not apply to any person, firm or corporation who has Fifty Thousand (\$50,000.00) dollars or more of capital invested in farm lands and operating the same in Alabama.

And on motion of Mr. Pegues the amendment offered by Mr. Miller of Sumter was laid upon the table.

Yeas, 56; nays, 33.

Yeas:

Messrs:

Adcock	Gullatt	Monk	Shepherd
Allen	Guy	Morrow	Shivers
Anderson	Hawkins	Moxley	Smith
Baldwin	Hubbard	Nipper	Starnes
Bartlett	Hughes	Norman	Stephens
Brunson	Jeter	Owens	Stewart (Calhoun)
Bryant	Jones (Cleburne)	Parish	Tompkins
Burleson	Jordan (Etowah)	Patterson	Tunstall
Burns	Jordan (Washington)	Pegues	Wallace
Cockrell	Kirkpatrick	Pitts	Ward (Geneva)
Darden	Langdon	Powell	Ware
Frey	Lee	Reeder	Webb
Golson	Luck	Ringer	Weldon
Graves	McAdory	Sanderson	Winn

—56

Nays:

Messrs.:

Ashcraft	Goode	Matthews	Rogers (Elmore)
Beebe	Goodwyn	Merrill	Rogers (Mobile)
Byars	Green	Miller (Marengo)	Sanders (Pike)
Cannon	Grove	Miller (Sumter)	St. John
Christian	Harwood	Mullen	Simpson
Cook	Hightower	Quillin	Vickers
Deloney	Hollis	Rankin	Waddell
Denson	Johnson	Rivers	Ward (Tuscaloosa)
Edwards			

—33

Mr. Grove offered the following amendment to the substitute:

Amend Substitute for House Bill No. 611 by adding thereto at the end of Section 1, the following: "The provisions of this Act shall not apply to counties in the State of Alabama having a population of not less than ninety and not more than two hundred and fifty thousand according to the last or any subsequent federal census."

And on motion of Mr. Tunstall the amendment offered by Mr. Grove was laid upon the table.

Yeas, 61; nays, 23.

*Yeas:***Messrs:**

Mr. Speaker	Goode	Martin	Ringer
Adcock	Graves	Matthews	Rogers (Elmore)
Allen	Gullatt	Monk	Sanderson
Anderson	Guy	Morrow	Shepherd
Baldwin	Hawkins	Moxley	Shivers
Bartlett	Hughes	Nipper	Starnes
Beebe	Jones (Bullock)	Norman	Stewart (Calhoun)
Brunson	Jones (Cleburne)	Owens	Thompson
Bryant	Jordan (Etowah)	Parish	Tompkins
Burleson	Jordan (Washington)	Patterson	Tunstall
Burns	Kirkpatrick	Pegues	Waddell
Cockrell	Langdon	Pitts	Wallace
Darden	Lee	Poole	Ware
Edwards	Luck	Powell	Webb
Frey	McAdory	Reeder	Weldon
Golson			

—61

*Nays:***Messrs:**

Ashcraft	Denson	Lovelace	Rogers (Mobile)
Byars	Goodwyn	Merrill	St. John
Cannon	Grove	Miller (Marengo)	Sanders (Pike)
Christian	Hightower	Miller (Sumter)	Simpson
Cook	Hollis	Quillin	Vickers
Deloney	Jeter	Rankin	

—23

Mr. Simpson offered the following amendment to the Substitute:

Amend by adding at the end of the Substitute the following:

Provided the provisions of this bill shall not apply to counties of over ninety thousand inhabitants by the last or any subsequent federal census.

And on motion of Mr. Frey the amendment offered by Mr. Simpson was laid upon the table.

Yeas, 64; nays, 22.

*Yeas:***Messrs:**

Adcock	Goode	Luck	Ringer
Allen	Graves	McAdory	Rogers (Elmore)
Anderson	Green	Martin	Sanderson
Baldwin	Gullatt	Matthews	Shepherd
Bartlett	Guy	Monk	Smith
Beebe	Hawkins	Morrow	Stephens
Brunson	Hubbard	Moxley	Stewart (Calhoun)
Bryant	Hughes	Mullen	Thompson
Burleson	Jeter	Nipper	Tompkins
Burns	Jones (Bullock)	Norman	Tunstall
Cockrell	Jones (Cleburne)	Owens	Waddell
Darden	Jordan (Etowah)	Parish	Wallace
Desear	Jordan (Washington)	Patterson	Ware
Edwards	Kirkpatrick	Pegues	Webb
Frey	Langdon	Pitts	Weldon
Golson	Lee	Reeder	Winn

—64

Nays:

Messrs:

Byars	Goodwyn	Miller (Marengo)	Rogers (Mobile)
Cannon	Grove	Miller (Sumter)	Sanders (Pike)
Christian	Hightower	Quillin	Simpson
Cook	Hollis	Rankin	Vickers
Deloney	Johnson	Rivers	Ward (Tuscaloosa)
Denson	Lovelace		

—22

Mr. Jeter offered the following amendment to the Substitute:
Amend Section 2 so as to read as follows:

A "Chain of Stores" is hereby defined as eight or more stores owned in whole or in part, operated, separately or under common trade name, controlled, directly or indirectly or run directly or indirectly by the same person, firm or corporation where goods, wares or merchandise of any kind whatsoever are sold at retail.

And on motion of Mr. Ware the amendment offered by Mr. Jeter was laid upon the table.

Mr. Sanders of Pike offered the following amendment to the Substitute:

Amend Substitute for H. B. 611 by striking therefrom the words and figures two hundred and fifty dollars (\$250.00) and inserting in lieu therefor the words and figures one hundred dollars (\$100.00).

And on motion of Mr. Ware the amendment offered by Mr. Sanders of Pike, was laid upon the table.

Yeas, 60; nays, 26.

Yeas:

Messrs:

Mr. Speaker	Frey	McAdory	Sanderson
Adcock	Golson	Martin	Shepherd
Allen	Goode	Matthews	Shivers
Anderson	Graves	Monk	Starnes
Baldwin	Gullatt	Morrow	Stephens
Bartlett	Guy	Mullen	Stewart (Calhoun)
Brunson	Hawkins	Nipper	Thompson
Bryant	Hughes	Owens	Tompkins
Burleson	Jeter	Parish	Tunstall
Burns	Jones (Cleburne)	Patterson	Ward (Geneva)
Carter	Jordan (Etowah)	Pegues	Ward (Tuscaloosa)
Cockrell	Jordan (Washington)	Pitts	Ware
Darden	Kirkpatrick	Powell	Webb
Desear	Langdon	Reeder	Weldon
Edwards	Luck	Rogers (Elmore)	Winn

—60

Nays:

Messrs:

Beebe	Christian	Goodwyn	Hollis
Byars	Cook	Grove	Johnson
Cannon	Deloney	Hightower	Jones (Bullock)

Lee	Miller (Sumter)	Rivers	Simpson
Lovelace	Quillin	Rogers (Mobile)	Vickers
Merrill	Rankin	Sanders (Pike)	Waddell
Miller (Marengo)	Ringer		

—26

Mr. Grove offered the following amendment to the Substitute:

Amend Substitute for H. B. 611 by adding at the end of Section one (1) the following: Provided, that the provisions of this Act shall apply only to persons, firms and corporations that do business in more than one State in the United States of America.

And on motion of Mr. Tunstall the amendment offered by Mr. Grove was laid upon the table.

Mr. Miller of Sumter offered the following amendment to the Substitute:

Amend Substitute for H. B. 611 by adding in Section II after the phrase "shall not apply to stores," the words: "Whose average monthly inventory is less than \$3,000.00, or."

And on motion of Br. Tunstall the amendment offered by Mr. Miller of Sumter was laid upon the table:

And the substitute reported by the Standing Committee on Ways and Means as amended was adopted.

Yeas, 68; nays, 21.

Yeas:

Messrs:

Mr. Speaker	Golson	Martin	St. John
Adcock	Goode	Matthews	Sanderson
Allen	Graves	Monk	Shepherd
Anderson	Green	Morrow	Shivers
Ashcraft	Gullatt	Moxley	Smith
Baldwin	Guy	Mullen	Starnes
Bartlett	Harwood	Nipper	Stephens
Brunson	Hawkins	Owens	Stewart (Calhoun)
Bryant	Hughes	Parish	Thompson
Burleson	Jeter	Patterson	Tompkins
Burns	Jones (Clebune)	Pegues	Tunstall
Carter	Jordan (Etowah)	Pitts	Wallace
Cockrell	Jordan (Washington)	Powell	Ward (Geneva)
Darden	Kirkpatrick	Quillin	Ware
Desear	Langdon	Reeder	Webb
Edwards	Luck	Ringer	Weldon
Frey	McAdory	Rogers (Elmore)	Winn

—68

Nays:

Messrs:

Beebe	Goodwyn	Lovelace	Rogers (Mobile)
Cannon	Grove	Merrill	Sanders (Pike)
Christian	Hightower	Miller (Marengo)	Simpson
Cook	Hollis	Miller (Sumter)	Vickers
Deloney	Johnson	Rankin	Waddell
Denson			

—21

Mr. Rogers of Mobile moved to indefinitely postpone the Bill and Substitute and the motion to indefinitely postpone was lost.

And the Bill,

H. 611. To provide for the regulation and operation by persons, firms, or corporations of what is known as chain stores and to fix a license for same.

As amended by the Substitute as amended.

Was read a third time at length and passed.

Yeas, 72; Nays, 23.

Yeas:

Messrs:

Mr. Speaker	Graves	Matthews	Sanders (Conecuh)
Adcock	Green	Monk	Sanderson
Allen	Gullatt	Morrow	Shepherd
Anderson	Guy	Moxley	Shivers
Baldwin	Harwood	Mullen	Smith
Bartlett	Hawkins	Nipper	Starnes
Brunson	Hubbard	Owens	Stephens
Bryant	Hughes	Parish	Stewart (Calhoun)
Burleson	Jeter	Patterson	Thompson
Burns	Jones (Cleburne)	Pegues	Tompkins
Carter	Jordan (Etowah)	Pitts	Tunstall
Cockrell	Jordan (Washington)	Poole	Wallace
Darden	Kirkpatrick	Powell	Ward (Geneva)
Desear	Langdon	Quillin	Ward (Tuscaloosa)
Edwards	Lee	Reeder	Ware
Frey	Luck	Ringer	Webb
Golson	McAdory	Rogers (Elmore)	Weldon
Goode	Martin	St. John	Winn

—72

Nays:

Messrs:

Beebe	Denson	Lovell	Rogers (Mobile)
Bryant	Goodwyn	Merrill	Sanders (Pike)
Cannon	Grove	Miller (Marengo)	Simpson
Christian	Hightower	Miller (Sumter)	Vickers
Cook	Hollis	Rankin	Waddell
Deloney	Johnson	Rivers	

—23

Mr. Ware moved to reconsider the vote by which the Bill, H. 611 was passed and then moved to table the motion to reconsider and the motion to table prevailed.

On motion of Mr. Ware the Bill, H. 611, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following Bill and returns same herewith to the House:

H. 57. To further regulate the tendering, signing and approving bills of exceptions where the trial judge has resigned, his term of office has expired or has been removed from office.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Darden the House concurred in and adopted the Senate Amendment to the Bill H. 57, said amendment being as follows:

Amend House Bill Number 57 as follows:

Amend Section one of the bill to read as follows:

Section 1. That it shall be the duty of all trial judges of this State whenever they resign, or their terms of office expires, or they are removed from office, to endorse the true date of the presentation of any bill of exception presented to him in causes where he presided within the time now provided by law or within the time that may hereafter be provided by law after such bill of exceptions is presented to him. If such trial judge is sick or out of the County where the cause was tried, or for any other cause the bill of exceptions cannot be presented in person to such trial judge, then the same may be presented to the Clerk of the Court where the cause was tried and the true date of such presentation be endorsed and signed by him and delivered by him to the trial judge with all convenient speed.

Yeas, 74; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lovelace	Ringer
Adcock	Golson	McAdory	Rogers (Elmore)
Allen	Goode	Martin	Rogers (Mobile)
Anderson	Goodwyn	Matthews	Sanders (Conecuh)
Baldwin	Green	Merrill	Sanders (Pike)
Beebe	Grove	Miller (Marengo)	Sanderson
Brunson	Gulatt	Miller (Sumter)	Smith
Bryant	Harwood	Monk	Starnes
Burleson	Hawkins	Morrow	Stephens
Bvars	Hightower	Moxley	Stewart (Bibb)
Carter	Hollis	Mullen	Stewart (Calhoun)
Christian	Hubbard	Parish	Thompson
Cockrell	Hughes	Patterson	Tunstall
Cook	Jeter	Pegues	Waddell
Darden	Johnson	Pitts	Wallace
Deloney	Jones (Bullock)	Quillin	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Rankin	Webb
Desear	Kirkpatrick	Reeder	Weldon
Edwards	Lee		

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 707. To establish a court of record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, in lieu of the courts of the justices of the peace and notaries public with powers ex-officio of justices of the peace in and for the precincts lying within or partly within the City of Tuscaloosa, Alabama, to abolish the county court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the justices of the peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to abolish the offices of all of the justices of the peace and notaries public with ex-officio powers of the justices of the peace in and for all precincts in Tuscaloosa County, Alabama, lying within or partly within the City of Tuscaloosa, Alabama; and to provide for a clerk of said court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the court costs in said court, to define the jurisdiction of said court, and to provide for a judge of said court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such judge, and to provide a solicitor for said court and to fix his salary and define his duties, and to provide the method whereby the judge thereof may recuse himself, to provide for certificates of judgment of said court and recordation thereof; to provide the method of issuing warrants returnable to said court and to define and provide for the proceedings in said court.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Harwood the House concurred in and adopted the Senate amendment to the Bill H. 707. Said Senate amendment being as follows:

SUBSTITUTE FOR HOUSE BILL NO. 707:

H. 707. A bill to be entitled an act, to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the In-

ferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

Be it enacted by the Legislature of Alabama:

Section 1. That an Inferior Court of civil and criminal jurisdiction is hereby established in Tuscaloosa County, Alabama, which said Court shall be a Court of Record and shall be called the Inferior Court of Tuscaloosa County.

Section 2. There is hereby conferred on said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction as is now exercised by the Justices of the Peace throughout the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and of the Probate Court of said County as regards domestic relations.

Section 3. The said Court for the maintenance and exercise of jurisdiction as conferred by this Act, shall have and exercise all the general powers and jurisdiction conferred by law on Justices of the Peace, on the County Court of Tuscaloosa County, Alabama, and on the Juvenile Court of said County, and all of the powers and jurisdiction conferred by law on the Probate Court of said County as to domestic relations.

Section 4. The Circuit Clerk of Tuscaloosa County shall act and be Clerk of the Inferior Court hereby established and he shall keep a civil and criminal docket of all cases brought before said Court and all of the minutes and records as are now required by law to be kept by Justices of the Peace and by the Clerk of the County Court of said County, and such records and dockets

as are required of the Juvenile Court, and of the Probate Court of said County as regards matters of domestic relations. He shall have authority to issue all necessary summons and complaints, as to all cases filed in said Court, and all other civil and criminal process which Justices of the Peace, the Clerk of the County Court, and the Clerk of the Juvenile Court and the Probate Court of said County as regards matters of domestic relations, are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in said County. It shall be the duty of said Clerk to tax and collect in each civil case in said Inferior Court the same costs and fees for services of the Clerk and Sheriff and witnesses in civil cases in said Court as are now allowed by law to be assessed, charged and collected for same in the Justice of Peace Courts, and the same costs, fines, and fees in criminal cases as are now allowed by law to be assessed, charged and collected in the Justice of the Peace Courts, in all criminal cases, of which the Justices of the Peace now have jurisdiction. In all other criminal cases the same costs, fines and the same fees for the services of the Solicitor, Clerk, and the Sheriff and witnesses in said Court, shall be assessed and collected as are now provided by law to be assessed and collected for such offenses in the County Court of Tuscaloosa County, Alabama, except that the trial tax in all criminal cases shall be \$3.00 in each case and the trial tax in all civil cases shall be \$1.00 in each case. The Sheriff's fees collected by said Court shall be paid over to the Sheriff by the Clerk on the first Monday of each month. Any money paid to said Clerk on judgments rendered in said Court shall be paid to the plaintiff or his Attorney, on demand. All the costs and fees allowed the Solicitor and Clerk of said Court, and all witnesses fees shall be collected by said Clerk and all such amounts so collected, except witness fees, shall be paid by said Clerk into the County Treasury on the first Monday of each month, provided that the witness fees assessed and collected by the Clerk shall be retained by him and paid over to the witness entitled to same, and to be assessed, collected, and handled as are witness fees so assessed, collected and handled in the Circuit Court of Tuscaloosa County. And the Clerk shall be paid and allowed to retain in settlement with the County from the fees collected in the Inferior Court the said fees hereby above allowed to be assessed and collected as Clerk's costs and the said Clerk shall be allowed and paid the same amount as he is now allowed and paid as ex-officio Clerk of the County Court of Tuscaloosa County, Alabama. The Clerk shall attend upon the duties of said Court at such hours as are designated by the Judge thereof and shall perform such other clerical duties as may

be prescribed by the Judge of said Court. The Clerk shall keep a final record and issue certificates of judgment; and for the issuing of said certificates of judgment he shall be allowed the same fees as are now allowed for the issuing of certificates of judgment in the Circuit Court of Tuscaloosa County, Alabama.

The certificate of judgment hereinabove provided to be issued by the Clerk shall, upon being recorded in the Probate Office of said County, become a lien in the same manner and under the same regulations as now provided for certificates of judgment issued out of the Circuit Court of Tuscaloosa County, Alabama.

Section 5. All process of whatever kind and nature issued out of this Court shall be addressed to the Sheriff of Tuscaloosa County or any deputy sheriff of said County, or any constable of said County, who shall execute the same. When required by the Judge of said Court, the Sheriff shall furnish a bailiff for said Inferior Court of Tuscaloosa and the said Sheriff shall receive the sum of \$2.50 per day for each day's service in said Court of said bailiff. The said per diem of said bailiff shall be paid out of the County Treasury of Tuscaloosa County. For the execution of all processes issued out of said Court, the sheriff or constable shall receive the same fees as is now provided to be paid the Sheriff for such process issued out of the Circuit Court of Tuscaloosa County.

Section 6. In suits before said Inferior Court it shall be no objection to the jurisdiction of said Inferior Court that any defendant is not a resident of the City of Tuscaloosa or that the cause of action did not arise in the City of Tuscaloosa; or that the debt was not created in the City of Tuscaloosa; provided that the residence of such defendant in civil cases is in the County Tuscaloosa, Alabama, if such defendant has a permanent residence in the State, or that the cause of action arose in Tuscaloosa County; and provided further the law as now set forth in the Code of Alabama of 1923 in Chapter 353, Articles 1 and 2, shall apply to venue in said Inferior Court of Tuscaloosa County, Alabama; and provided further that in criminal cases the offense occurred in Tuscaloosa County, Alabama.

Section 7. The said Clerk before entering upon the discharge of his duties as ex-officio clerk of said Inferior Court, shall be required to furnish to the Probate Judge of Tuscaloosa County, a bond with good and sufficient sureties in the sum of Three Thousand Dollars, to be conditioned and approved in the same manner as is the bond of the Clerk of the Circuit Court of Tuscaloosa County, Alabama.

Section 8. Be it further enacted that there shall be a Judge of said Court and the first Judge thereof shall be appointed by

the Governor and shall hold office until the first Monday after the second Tuesday in January, 1931; that said Judge at the time of his appointment shall have been a resident of the County of Tuscaloosa for at least one year and shall be at the time of his appointment at least twenty-five years of age and shall be learned in the law.

Section 9. Be it further enacted that the Judge of said Court shall receive a salary of \$3600.00 per annum payable monthly out of the County Treasury upon his warrant drawn upon County Treasurer, or County Depository. The said Judge shall not be permitted to practice law in any Court, or otherwise engage in the practice of law.

Section 10. Be it further enacted that the Deputy Solicitor of Tuscaloosa County shall be the Solicitor of the Inferior Court of Tuscaloosa County and shall attend all sessions of said Court and do and perform all duties of a solicitor therein and in addition attend and represent the State at all preliminary hearings therein.

Section 11. Be it further enacted that said Deputy Solicitor shall receive a salary of \$1800.00 per annum payable monthly out of the County Treasury upon his warrant drawn upon the County Treasurer, or County Depository, and this shall be in lieu of any other salary now provided to be paid him.

Section 12. Be it further enacted that at the general election to be held in November, 1930, an election shall be held for office of Judge of the Inferior Court of Tuscaloosa in the County of Tuscaloosa at the voting places in said County at which said election qualified electors of said County shall have an opportunity to vote for their choice for said Judgeship, and the said Judge so elected shall hold office from the first Monday after the second Tuesday in January, 1931, for a period of four years and that thereafter at the general election held in November every four years after the first election herein provided there shall be elected a Judge who shall hold office for four years and whose term of office shall begin and end on the days provided for the beginning and ending of the first Judge so elected. And such Judge so elected at the time of his election shall have been a resident of the County of Tuscaloosa for at least one year and shall be at the time of his election at least twenty-five years of age and shall be learned in the law.

Section 13. Whenever for any cause there shall be a vacancy in said office the same is to be filled in the same manner as now provided by the law for filling vacancies of Judgeships in the Circuit Courts of the State.

Section 14. The Judge of said Court is hereby given the powers to punish for contempt of Court to the same extent and un-

der the same provisions and rules and regulations as are now provided for the punishment of contempt of Court in the Circuit Court of Tuscaloosa County, Alabama.

Section 15. The Clerk of said Court and all the Justices of the Peace and Notaries Public ex-officio Justices of the Peace within the County of Tuscaloosa are hereby given the power to issue warrants returnable to said Court for any offense over which the said Court has jurisdiction; but no such warrant shall be issued except upon the written approval of the Solicitor or the Deputy Solicitor of said County, endorsed thereon.

Section 16. In all civil cases in said Court, the defendant shall have ten days after service to plead, answer, or demur in any proceedings brought therein against said defendant and criminal cases may be set down for trial after the expiration of ten days after arrest of the defendant.

Section 17. The same provisions in reference to the filing of interrogatories to parties in litigation and the same provisions in reference to taking of depositions as are now or may hereafter be provided for in the filing of interrogatories and the taking of depositions in the Circuit Courts of Alabama, shall apply to the filing of interrogatories and the taking of depositions in this Court.

Section 18. In the matter of necessary process, service, or procedure in this Court, not herein specifically provided for the manner of process, service, or procedure, as is now provided for in the Circuit Courts of this State, shall apply and govern.

Section 19. It is hereby provided that on Monday of each week there shall be held a call of the docket of said Court for the handling trial and disposing of criminal cases, Juvenile Court cases, and the handling, trial and disposing of cases in regard to domestic relations over which this Court has jurisdiction and on Tuesday of each week there shall be a call of the docket in said Court for the handling and trial of civil cases and said Court shall continue in session as long as necessary to dispose of the docket and the Court shall be open for business and trials at all other times, but the Judge thereof shall fix the hours for the holding of said Court; and provided further that from the 20th day of December of each year to the 1st day of February thereafter and from the 20th day of June each year to the 1st day of August thereafter. Terms of said Court shall be held only in the discretion of the Judge of said Court.

Section 20. From any judgment of said Court the defendants in criminal cases and the State in such cases where appeals are allowed to the State and the parties in all civil cases shall have the right of appeal to the Circuit Court of Tuscaloosa County under the same regulations and requirements as now or may

hereafter govern appeals from the Courts of Justices of the Peace in the State of Alabama in civil cases and the same regulations and requirements as now govern appeals from the County Court to the Circuit Court in criminal cases in said State and the bonds furnished or required shall be governed by the same law as now regulate appeals in the said respective Justice Courts and County Court and to be approved by the Clerk of said Court.

Section 21. In the event the Judge of this Court recuses himself or is incompetent to sit in any case the Circuit Judge shall have the right to appoint as special Judge any practicing attorney in Tuscaloosa County to serve in place of the regular Judge and said special Judge shall receive as compensation for said service the per diem amount that the said regular Judge receives to be paid out of the County Treasury upon his warrant drawn thereon; and the said Judge of this Court shall have the right to recuse himself in a case which he thinks it proper for him to do so. In the event he recuses himself or is incompetent to sit for more than two days in any one month the per diem amount paid to the special Judge serving in his place shall be deducted from the monthly salary herein provided to be paid him.

Section 22. Whenever the word clerk of said Inferior Court appears in this Act the same shall be taken and construed to mean "ex-officio clerk."

Section 23. Be it further enacted that this Act shall become effective thirty days after its approval by the Governor.

Section 24. Be it further enacted, That if any section or provision of this Act shall be declared to be void or unconstitutional it shall not effect or destroy the validity or constitutionality of any other section or provision therein which is not in and of itself void or unconstitutional.

Section 25. All laws and parts of laws, general, local and special, contrary to the provisions of this Act are hereby repealed.

Yeas, 66; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Hollis	Merrill
Bryant	Frey	Howard	Miller (Marengo)
Burleson	Golson	Hubbard	Miller (Sumter)
Burns	Goode	Hughes	Monk
Byars	Goodwyn	Jeter	Morrow
Cannon	Graves	Johnson	Moxley
Carter	Green	Jones (Bullock)	Mullen
Cockrell	Grove	Kirkpatrick	Norman
Cook	Gullatt	Langdon	Parish
Darden	Guy	Lee	Patterson
Deloney	Hampton	Luck	Pegues
Denson	Harwood	Martin	Poole
Desear	Hawkins	Matthews	Powell

Quillin	Shepherd	Thompson	Ward (Tuscaloosa)
Rankin	Simpson	Vickers	Ware
Rivers	Smith	Ward (Geneva)	Weldon
Rogers (Mobile)	Stewart (Calhoun)		

—66

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment:

By Mr. Fite:

S. 178. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to willfully transport or aid or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant, or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

By Mr. James:

S. 321. To authorize the Governor to re-convey to the National Guard Units of Jefferson County for armory purposes lots 7 and 8, Block 21, South Smithfield, which said lots were conveyed by Battery D Armory Company to the State of Alabama under deed of date September 29, 1925.

By Mr. Craft:

S. 402. To create and form a Sea Wall District in Mobile County, Alabama, to be known as "Mobile Sea Wall District," for the purpose of building and maintaining sea walls and other protection against seas, waves, storms, and floods; to provide for the appointment of a Board of Commissioners of said District, and to provide for the building and maintaining of sea walls and other protection against seas, waves, storms and floods in said district and to define the duties and powers of the Board of Commissioners of said Mobile Sea Wall District and to provide for the fixing of the compensation of the chairman and chief engineer of said Board of Commissioners and to provide for the assessment of the whole or any part of the costs of the construction of such improvement against the land in said district, to the extent of the increased value of such land by reason of the

special benefits derived from said improvements, and to provide for the collection of such assessment and to provide for the issuance of bonds by such district without an election.

With Notice and Proof herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama when convened in its next session hereafter, to pass a local act providing in substance as follows:

An Act entitled:

"An act to create and form and incorporate a Seawall District in Mobile County, Alabama, to be known as 'Seawall District Number One of Mobile County, Alabama', for the building and maintaining of seawalls and other protection against seas, waves, storms and floods, and to provide for the assessment of the whole or part of the costs of such improvements against the land in such district to the extent of the increased value of such land by reason of the special benefits derived from such improvements, and to provide for the issuance of bonds by such district without an election; to name and define the boundaries of such district, its objects, purposes, powers, functions and period of existence; to provide a complete system for the administration of the affairs of such district, including planning and designation of seawalls therein to be constructed, improved or maintained, the ascertainment and determination of the extent of the increased value of the land in such district by reason of the special benefits derived from such improvement, prescribing the lands in such district the value of which is increased by reason of special benefits derived from each of such improvements, providing for the assessment against each piece of parcel of such land of its proportionate part of the whole or a part of the cost of such improvement, the collection of such assessments, the letting of contracts for such improvements, and the issuance and sale of bonds by such district; to provide for the appointment, by the Board of Revenue and Road Commissioners of Mobile County, of five persons, as the Board of Commissioners for such district, and to provide the term of office of such commissioners, and for the filling of vacancies and the appointment of their successors or any succeeding commissioner, and to prescribe the powers, authority, duties, rights and limitations of the Board of Commissioners of said district, the compensation of the members thereof and how the same shall be paid, and to provide for additional compensation of the secretary of such Board, and how the same shall be paid; to provide the qualification of all succeeding commissioners; to provide machinery for the qualification of said commissioners and the organization and functioning of said Board of Commissioners of said District, and for the employment by said Board of necessary employees, engineers, agents and attorneys, and the fixing of their respective duties, compensation and bond, if any, and to provide how such compensation shall be paid; to provide for the planning and construction of seawalls within said district; to provide how such plans may be formed and adopted or rejected, for the filing of such plans and specifications, the manner and method of objections, if any, by persons affected by such proposed improvement and the effect of such objections or the failure so to object; to provide for a meeting of said Board of Commissioners of said District to hear any objections to such improvements and to provide for notice of such meeting; to provide that if any such improvement be not made, all amounts borrowed and all costs incurred or accrued shall be paid by the County of Mobile; to provide for the adoption of one or more plans and specifications approved by said Board; to provide for the preparation of a list of lands in said district specially benefited from or increased in

value by reason of each such improvement; to provide for the appointment of three persons as a Board of Assessors for said district, for their term of office, for the filling of vacancies on said Board, and the appointment of their successors or any succeeding member of said Board, for the organization of said Board of Assessors and the oath of its members, for the compensation of members of said Board and for the payment of such compensation and to provide generally, the powers, authorities, limitation and the duties of said Board of Assessors, including the power and duty to ascertain, determine and report the increased value of each such lot or parcel of land by reason of the special benefits derived from such proposed improvement; to provide for the filing and notice of the filing of said report; to provide the manner in which said notice shall be given; to provide for the filing of objections to such ascertainment of benefits, and the effect of failure so to do; to provide that the Board of Revenue and Road Commissioners of said County shall meet to correct any errors in said ascertainment of benefits and shall hear and determine any objections thereto and correct and then approve said report, and that said report then be certified by the Chairman of the Board of Revenue and Road Commissioners of said County, and shall then be open to attack only by direct appeal; to provide for compensation of the Board of Revenue and Road Commissioners in connection with the duties imposed by this act, and the payment thereof; to provide for appeal from such determination by said Board of Revenue and Road Commissioners to the Circuit Court or other Court of like jurisdiction, the time, manner, limitation and method of taking, hearing, and determination of such appeals, and effect of such appeal, and the matters which shall be considered; to provide that an appeal may be taken to the Supreme Court of Alabama from any judgment of such lower court, the time and manner thereof, that such appeal be heard upon the record and bill of exceptions; to provide for advertisement for bids for construction according to plan of improvement; to provide for the machinery of giving such notice to bidders and the contents and requirements of such notice; to provide that said Board of Commissioners of said District may impose other conditions on bidders; to provide that said Board of Commissioners of said District shall open and consider such bids and shall have the right to reject any and all bids or may accept informal bids; to provide that said Board of Commissioners of said District shall fix the number of equal annual installments in which assessments may be paid; to provide that such installments shall bear interest at eight per cent and to fix the maximum number thereof; to provide how any contract by said Board of Commissioners of said District shall be executed and for what purpose, and that surety bond shall be required from each contractor, to provide for filing by Board of Commissioners of said District with the Board of Assessors a statement of estimated cost of construction in such plan of improvement, to provide for an assessment book, the contents thereof, and delivery thereof to Board of Assessors, how entries shall be made and how same shall be kept; to provide that the Board of Assessors shall assess against such property the proportionate part of such estimated total cost of such improvement not exceeding the increased value by reason of benefits derived from such construction, limitation thereon, how such assessment shall be arrived at, effect of error therein and correction thereof; to provide for the certification of said book by said Board of Assessors, filing thereof with Judge of Probate and for notice of the filing thereof; to provide that sale of land hereunder shall affect only the assessment under which same was made; to provide for objections to and the hearing, determination and adjustment of any objection to any such assessment, and effect of failure to object; to provide that any one desiring to pay any assessment in installments shall deliver to Chairman of said Board of Assessors an agreement to that effect, when same must be filed, contents

thereof, how executed, to be recorded in Probate Court; to provide for hearing of objections to such assessment, and the machinery therefor, the approval, confirmation and correction of such assessments; to provide for the increase of assessments by the Board of Revenue and Road Commissioners, for what purpose, how, limitation thereon, notice thereof by Judge of Probate, contents of such notice, when, how, and to whom given, and effect of failure to file protest against such proposed increase; to provide for a hearing and determination of such protest; to provide for the approval of such assessments and the effect thereof, and for the certification of the assessment book; to provide that such assessments shall constitute a lien upon such land, and the priority of such lien; to provide how such assessments may be reduced; to provide that the Board of Commissioners of said District may assign such lien to contractors or others; to provide for an appeal from the final order of the Board of Revenue and Road Commissioners relating to any assessment to the Circuit Court or similar court, how, when, and by whom taken, and the effect thereof; to provide that if no such appeal is taken, such assessment shall be final and binding; to provide how such appeals shall be taken and tried and the determination thereof; to provide for appeals to Supreme Court of Alabama, when, by whom, and how taken, and that such appeals shall be heard upon the record and bill of exceptions; to provide that interest and damages be added to the judgment if supersedeas bond given and judgment affirmed; to provide for the enforcement of such judgments; to provide how assessments or installments may be paid, when, where, amount thereof, interest, thereon, and the effect of waiver of right to pay in installments; to provide for sale of property upon failure to pay assessment, or installment, notice of such sale; to provide that mandamus may issue to compel such sale, by whom and to what court applied for, enforcement thereof; to provide the machinery for such sales, that costs of such sale be a charge against property sold, execution of deed, what same shall convey, surplus arising from such sale, to whom paid, for whom kept; to provide that said district may purchase such property on such sale, how deed shall be made; to provide for the redemption of such property, by whom, when, how made; to provide that no mistake in name of owner or description of property in any publication shall vitiate any assessment or lien; to provide that an ineffectual sale shall operate as assignment of lien and for supplementary proceedings to correct such errors, by whom and how; to provide what shall be the effect of failure to mail or receive any notice upon any proceedings authorized in this Act; to provide for machinery of collection and remittance of assessments of installments, penalties and interest by the Tax Collector of said county, and to prescribe his duties, powers, liability, commission and fees, including his duty to pay over to said Board of Commissioners of said District all collections, less commissions and fees, together with a written statement from time to time, and to provide the contents of such statement, when and how made and filed, and that his accounts be public records; how money shall be paid out by him, contents of warrants, how warrants made, bond of treasurer, premium thereon, how paid; to provide when additional assessments may be levied, how, limitation; to provide for the issuance of bonds, by said Board of Commissioners, of said District, when, for what purpose, how, to whom, in what amount, where payable, kind, character and maturity of such bonds of installments thereof, and for the appointment of registrar or transfer agents by said Board of Commissioners of said District; to provide when and in what manner and under what limitations the Board of Commissioners of said District may issue such bonds to the contractor or contractors in payment in whole or in part of the contract price of the work done by such contractor or contractors; to provide generally when, how, in what manner, upon what terms and under what limitations such bonds or any part thereof may be sold or otherwise disposed

of, and by whom and under what conditions and at what price such bonds may be sold, or otherwise disposed of; to provide how and when validity of such bonds may be contested; to provide for the publication of resolutions of said Board authorizing the issue, sale, and delivery of such bonds and contents thereof; to provide for notice by said Board of sale of such bonds, execution of contracts of construction; to provide for deposit of funds received by said Board in depository approved by Board of Revenue and Road Commissioners; to provide for the application of proceeds of sale of such bonds and money collected from assessments, penalties and interest; to provide the liability of the Treasurer of said Board and the County Tax Collector for diversion of funds; to provide for refund of money collected in excess of costs of such improvements; to provide that said Board of Commissioners of said District may acquire property by purchase or condemnation; to provide for the maintenance of such seawalls, and the re-improvement thereof; to provide for the appointment of a receiver to collect assessments, and application of proceeds so collected, and discharge of such receiver; to provide that said Board of Commissioners of said District shall annually file account with Board of Revenue and Road Commissioners, audit thereof; to provide that said Commissioners of said District and Assessors shall be liable only for willful misconduct; to prescribe penalties and punishment of any one for violation of terms of this act; to provide for the reimbursement of said County for fees and expenses paid out hereunder; to provide for the fees of County Officers for services rendered hereunder; to provide as to the constitutionality hereof, the repeal of laws in conflict herewith, and when this Act shall take effect."

Be it Enacted by the legislature of the State of Alabama:

Section 1. A seawall district is hereby formed in the County of Mobile within this State, said district being bounded as follows:

Beginning at a point where the southern boundary line of township 4 south, range 1 west intersects a line 1000 feet eastwardly from low water mark on the western shore of Mobile Bay, running thence west along governmental section lines to the northwest corner of Section 3, township 5 south, range 1 west, running thence south along governmental section lines to the southeast corner of Section 9, township 5 south, range 1 west, thence west along governmental section lines to the southwest corner of said Section 9, thence south along governmental section lines to the southeast corner of Section 17, township 5 south, range 1 west, thence west to the southwest corner of said Section 17, thence south along governmental section lines to the southeast corner of Section 7, township 6 south, range 1 west, thence west along governmental section lines to the southwest corner of said Section 7, thence south along governmental section lines to the southwest corner of Section 30, township 7 south, range 1 west, thence west along governmental section lines to the southwest corner of Section 30, township 7 south, range 2 west, thence north along governmental section lines to the northwest corner of said Section 30, thence west along governmental section lines to the southwest corner of Section 20, township 7 south, range 3 west, thence north to the northwest corner of said Section 20, township 7 south, range 3 west, thence west along governmental section lines to the line dividing the states of Mississippi and Alabama, thence in a southerly direction along said state line and an extension thereof, to a point where the same intersects a line 1000 feet southwardly from low water mark on the southern shore of the mainland of Mobile County, thence in a general easterly and thence northerly direction along a line parallel with and 1000 feet off shore from the meandering low water mark of Grand Bay, Portersville Bay, Fowl River Bay, Heron Bay, Mobile Bay and other bodies of water forming the southern and eastern boundaries respectively, of the mainland of Mobile County, to the point of beginning.

Section 2. Said seawall district is hereby created a body politic and corporate by the name and style of "Seawall District Number One, of Mo-

bile County, Alabama," and said corporation may sue and be sued, plead, be impleaded, and have perpetual succession for the purpose of building, constructing, maintaining and repairing seawalls and other protection against seas, waves, storms and floods, and appurtenances thereto, in said district. The Board of Revenue and Road Commissioners, as soon as practicable after the approval of this act, shall appoint five commissioners for said district to hold office, respectively, one for a period of one year, one for a period of two years, one for a period of three years, one for a period of four years, and one for a period of five years; all from the date of the approval of this act, and until their successors are appointed in the manner hereinafter provided, and have qualified. In the appointment of the commissioners for said Seawall District Number One of Mobile County, Alabama, the Board of Revenue and Road Commissioners shall state which of the said commissioners is appointed for a period of one year, which of said commissioners is appointed for a period of two years, which of said commissioners is appointed for a period of three years, which of said commissioners is appointed for a period of four years, and which of said commissioners is appointed for a period of five years. Each of the commissioners so appointed shall be a suitable person who is an owner of land in said district. The commissioners of said district shall be known and styled as "The Board of Commissioners of Seawall District Number One of Mobile County, Alabama." Said Board is hereinafter sometimes called "District Commissioners." The Board of Revenue and Road Commissioners of Mobile County, hereinafter sometimes called "County Commissioners," shall, at a regular meeting of said Board, at least thirty days prior to the expiration of term of office of each of said commissioners, make an order appointing some suitable person possessing the qualifications above set out, to act as commissioner for said district, whose term of office shall be five years from the expiration of the term of office of the commissioner named in this act, whom he succeeds. In like manner the said Board of Revenue and Road Commissioners of Mobile County shall, at a regular meeting of said County Commissioners held at least thirty days prior to the expiration of each term of office of each such District Commissioner, appoint his successor for a period of five years. In the event of the death, resignation, or removal from the county, or disqualification of any one or more of such District Commissioners, whether named in this act or appointed by said County Commissioners the said County Commissioner shall by like order, appoint the successor of such District Commissioner so dying, resigning, removing from the county, or becoming disqualified, and such successor shall hold office during the unexpired term of the District Commissioner in whose place he is so appointed.

Section 3. Each commissioner of said Board of Commissioners of Seawall District Number One of Mobile County, before taking office, shall take the oath of office required by the Constitution and laws of the state of Alabama, and shall also swear that he will not, directly or indirectly, be interested in any contract made by said Board of District Commissioners. Such oath shall be taken before any clerk of a Court of record or notary public, and a copy of such oath shall be signed by each member of the Board and filed with the Judge of Probate of Mobile County, and another copy shall be filed with the secretary of said Board. Any member of the Board failing or refusing to take such oath of office within thirty days after his appointment shall be considered to have declined to serve, and the vacancy so caused shall be filled by the Board of County Commissioners of Mobile County at its next regular or adjourned meeting.

Section 4. Upon the qualification of members of said Board of District Commissioners, such Board shall organize by selecting one of their number as president, and another as secretary, and another as treasurer; provided, however, that the offices of secretary and treasurer may be held by one per-

son. All such officers shall hold office during the pleasure of the Board. They shall also adopt a seal for such district and procure such records and books as are necessary for the carrying on of the business of the district. The members of said District Board shall be allowed, as compensation, fifteen dollars (\$15.00) per day while engaged in attending Board meetings and also necessary expenses while engaged on business for the district. The secretary of said Board of District Commissioners shall be allowed and paid such additional compensation for the performance of the duties of secretary as may be fixed by the Board at the meeting at which organization thereof is perfected, which compensation shall not be changed during his term of office. All such compensation shall be paid out of the general funds of Mobile County. The Board of District Commissioners are also authorized to engage the necessary employees, engineers, agents, and attorneys for assisting them in carrying out the improvements contemplated, and said Board of District Commissioners shall fix the compensation of all such employees, engineers, agents, and attorneys. Such compensation (except such compensation as is hereinafter provided to be included in the cost of improvement) shall be paid out of the general funds of Mobile County upon vouchers approved by said Board of District Commissioners.

Section 5. Immediately upon the organization of said Board of District Commissioners, said Board shall employ, for such time and at such compensation and upon such terms as the Board of District Commissioners may determine, some competent engineer, who may be an individual, copartnership, or corporation, to prepare such preliminary plans, specifications, and estimates as are, from time to time, required by said District Board. Such engineer so employed or appointed by said District Board for the purpose aforesaid shall give bond in an amount of not less than one thousand dollars (\$1,000.00), to be fixed by and approved by the District Board, conditioned that such engineer will faithfully discharge the duties imposed upon him as engineer for said district, and deliver to his successor or said District Board, upon demand, all instruments, papers, maps, documents, and other things that may have come into his hands by virtue of his employment.

Section 6. The said Board of District Commissioners shall have power to make, or cause to be made, plans for the construction of and to provide for the construction of, under the terms of this act, a seawall along or near such portion or portions of the western shore of Mobile Bay and along or near such portion of the south shore of the mainland of Mobile County, lying within the limits of said District by this act created, as the said District Board may, from time to time determine upon, as hereinafter provided.

The District Board shall, from time to time, determine upon the location and length of any seawall to be constructed, improved or repaired under the terms of this act, within such district; also whether the whole, and, if not the whole, then what part, of the cost of such construction, or improvement, or repairment thereof shall be assessed against the land increased in value by reason of the special benefits derived thereby by reason of such construction, as hereinafter provided. It shall from time to time, adopt resolutions to that effect, describing the nature, and extent of the work, the general character of the materials to be used, and the location and terminal points thereof, and shall direct that the full details, drawings, plans, specifications, and surveys of said work and estimates of quantities and costs be prepared by such engineer as may be employed as in this act provided, or the said District Board may adopt plans for such work already prepared.

Such plan may provide for the payment of all the cost of such construction, by assessment as herein provided, or it may provide for the

payment by assessment of such part of the cost of construction as is not paid by the County of Mobile or the State of Alabama, or any agency thereof.

Such resolutions may set out and describe certain alternative types of construction or materials used in the construction of such seawall or seawalls, and the District Board may require advertisements for proposals on the various types enumerated, and the final selection by the District Board of the type or types and character or characters of such seawall construction, or any materials used in the construction, reconstruction, or improvement of such seawalls from among the alternatives so enumerated shall, in that event be postponed until the bids shall have been received.

Section 7. Such details, drawings, plans, specifications, surveys, and estimates shall, when completed, be placed on file not later than two weeks prior to the date of the meeting hereinafter provided for, in the office of the Board of Revenue and Road Commissioners of said county, where property owners who may be affected by such improvement may see and examine the same at all reasonable hours, and the said District Board shall, by resolution, appoint a time when the said District Board will meet which will be not less than two weeks after the date of the first publication of said resolution, fixing the time of said meeting and designating some public place in said district where same will be held, to hear any objections or remonstrances that may be made to the said improvement or improvements, the manner of making the same, or the character of material or materials to be used, or any other matter covered by such details, drawings, plans, and specifications.

Said resolution or resolutions must be published once a week for two consecutive weeks, in some newspaper of general circulation published in said county, and by posting, for two weeks, in three public places within the limits of such district.

A copy of said resolution or resolutions shall also be sent, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for the land which may be assessed for said improvement or improvements, at their last known addresses, said notice to be so mailed not less than ten days before the meeting of the District Board hereinabove provided for.

Section 8. At said meeting, or at a place and time to which the same may be adjourned, all persons whose property may be affected by the proposed improvement or improvements may appear in person or by attorney, or by petition, and object or protest against said improvement or improvements, the material to be used, or the alternative types of material, or any of them, from which selection is later to be made, if any, and the manner of making the same, and said District Board shall consider such objections and protests, if any, and may confirm, amend, modify, or rescind the original resolution or resolutions, and such plans and specifications, but if objection to the proposed improvement or improvements be made by a majority in number and acreage of the owners of land, upon or against which land an assessment may be levied under the terms of this act, the improvement or improvements shall not take place.

If, for any reason or cause, the improvement or improvements, covered by any plan adopted by the Board of District Commissioners, shall not be made, all amounts borrowed, and all expenses and costs accrued shall be paid out of the general funds of said County of Mobile, and all plans, specifications, drawings and estimates relating to such plan shall be turned over to the Board of Revenue and Road Commissioners of Mobile County, and shall be the property of Mobile County.

If the details, drawings, plans, specifications, surveys, et cetera, are, with or without modifications, approved by said Board of District Commissioners, they shall adopt a resolution to that effect, and the same shall

then be known as "Plan of Improvement No., Mobile County Seawall District No. 1."

Section 9. The Board of Commissioners of said district shall prepare, or cause to be prepared, a complete list of the lands in said district specially benefited or increased in value by reason of the special benefits derived thereby from the construction of such improvement, and the name of the person or persons last assessed for state taxation for each piece, parcel, lot, tract, or other subdivision of land (according to ownership) in said district, and their last known addresses.

If such plan of improvement covers the construction of any portion of a seawall along or near the western shore of Mobile Bay, said list of land shall include all lands in said district lying west of and within 2 1-2 miles of the seawall or seawalls so constructed; and it is hereby declared that all lands within said districting lying west of such seawall so constructed will be increased in value by reason of the special benefits derived by said lands from the construction of such seawall along or near the western shore of Mobile Bay. If such plan of construction covers the construction of any part of a seawall along or near the south shore of the mainland of Mobile County, said list of land shall include all lands in said district lying north of the portion of the seawall so constructed, and it is hereby declared that all lands lying within the limits hereinabove set out will be increased in value by reason of the special benefits derived by said lands from the construction of a seawall along or near the south shore of the mainland of Mobile County, or along a portion of said south shore.

Section 10. The entire work of constructing or improving any such seawall or seawalls, need not be done at one time; but the plan of improvement or construction if decided by the said Board of District Commissioners, may cover the construction or improvement of any seawall along any portion of the shore hereinabove set forth, and thereafter the Board may, by a separate improvement plan, provide for the construction or improvement of a seawall or seawalls along any other portion or portions of the shores hereinabove set forth, and each such improvement shall constitute a separate and distinct plan, and each such plan shall be proceeded with as in this act provided, or the Board of District Commissioners may, in the manner in this act provided, provide in one plan for the entire completion of a seawall along all of the shores hereinabove set forth.

Section 11. The cost of any improvement contemplated by this act shall include the cost of organizing the district, all necessary or proper expenses, and all incidental expenses, including engineering and legal fees and expenses, in connection therewith, the expense of the preliminary and other surveys, and inspection and superintendence of such work, printing and publishing of notices and resolutions required, including the notice of assessment, the cost of construction, engineering, and legal and other incidental expenses, preparing bonds, discounts on bonds, if same are sold at less than par, the cost of acquisition by purchase or condemnation of any land necessary or which, in the opinion of the Board of Commissioners of said district, may be advisable or proper, to be acquired for use in connection with the completion of such improvement and the fees and expenses incident to the making of assessments, the collection of assessments and installments thereon, the handling of funds received from the sale of bonds and the collection of assessments, and the distribution thereof.

Section 12. As soon as the Board of District Commissioners has, at such meeting hereinabove provided for, or at any adjourned meeting thereof, finally determined upon the improvement or improvements, and the nature, extent, and character thereof the Board of District Commissioners shall adopt a resolution or resolutions approving the plans, and describing the nature and extent of the work, the general character of the materials or alternate types of materials to be used, the location and terminal points

thereof, and shall file a certified copy of said resolution and a copy of the plans and specifications, as finally agreed upon, with the Judge of Probate for said county.

Section 13. Thereupon, the Board of Revenue and Road Commissioners of said county shall, at its first regular, special, or adjourned term or meeting held thereafter, by order entered on the minutes of said Board of Revenue and Road Commissioners, appoint three owners of land within said district, who shall constitute the Board of Assessors for said district. A majority of said Board of Assessors shall constitute a quorum and shall control the action of the Board on all questions.

Section 14. The Chairman of said Board of Revenue and Road Commissioners of Mobile County, upon the entering of said order of appointment, shall immediately notify each of said assessors of his appointment by written or printed notice and in the same shall state the time (which shall be within thirty days from the date of such notice) and place for the first meeting of said Assessors. At such first meeting, the Board of Assessors shall organize by the election from their number of a chairman and a secretary of the Board of Assessors, and shall take the oath prescribed by the laws and Constitution of the State of Alabama, and shall also swear that they will well and truly ascertain and determine the increased value of each piece, parcel, lot, tract, or other sub-division of land (according to ownership) within said district and within the limits defined in Section 9 of this act by reason of the special benefits derived by same from the improvements to be made in accordance with the plan approved by the Board of District Commissioners, as hereinabove provided, and, from time to time, assess against each piece, parcel, lot, tract, or other subdivision of land (according to ownership) within said district and within the limits defined in Section 9 of this act its proportionate part of the cost of such improvements, based on, and not in excess of, the increased value of such piece, parcel, lot, tract, or other sub-division of land (according to ownership) by reason of the special benefits derived by same from the said improvements, which oath shall be filed with the Judge of Probate of said county, and also be recorded in the minutes of the Board of Commissioners for said district.

If any person so appointed as assessor shall fail or refuse to take said oath within ten days, he shall be deemed to have declined to serve, and in that event, or in the event of his death or resignation, his place shall be filled by said Board of Revenue and Road Commissioners of Mobile County appointing another person to fill the vacancy. Such appointment may be made at a regular, special or adjourned meeting of said County Commissioners in the same manner as is hereinabove provided for the original appointment of said assessors. Such Board of Assessors shall hold office until the work of assessment of benefits as hereinafter provided is completed, and shall receive as compensation for their services fifteen dollars (\$15.00) per day and their reasonable expenses.

Section 15. As soon as practicable after the Board of Assessors have completed the organization of said Board, the President of the Board of Commissioners of said district shall deliver to the Chairman of the Board of Assessors a copy of the list of lands and owners prepared by the Board, as provided in Section 9 of this act, together with a copy of the plans, specifications, surveys, and details, drawings, estimates of quantities and costs prepared by the engineer of the Board and approved by the Board of Commissioners of said district and known as "The Plan of Improvement"

Section 16. The said Board of Assessors shall have power and authority to ascertain and determine the amount or extent of the increased value of each piece, parcel, lot, tract, or other subdivision of land within said district, (according to ownership) which, according to the provisions of Section 9 of this act, is subject to assessment as in this act provided, by reason of the special benefits derived by each such piece, parcel, lot tract

or other subdivision of land, from the improvement to be constructed in accordance with said plan of improvement. Said Board of Assessors shall proceed to view the premises and obtain such information as in their opinion will aid them in arriving at the amount and extent of such increased value.

The Board of Assessors shall exercise their best judgment from all information in their possession or obtained by them. They shall ascertain and determine the amount or extent of the increased value of each piece, parcel, lot, tract, or other subdivision of land within the limits defined in Section 9 of this act, by reason of the special benefits derived by same from the improvements to be made in accordance with the said plan of improvement.

The Board of Assessors shall prepare a report of their findings which shall be arranged in tabular form, the columns of which shall be headed as follows:

Column No. 1: "Owner of Property;"

Column No. 2: "Description of Property."

Column No. 3: "Ascertained and Determined Amount of Increased Values by Reason of Special Benefits Derived from Improvements".

A copy of said report, signed by at least a majority of the Board of Assessors, shall be filed with the Judge of Probate of said county.

Said Board of Assessors shall report to the Treasurer of Mobile County the number of days each has been employed and the actual expenses incurred. Each member of said Board of Assessors shall be paid fifteen dollars (\$15.00) per day for his services and necessary expenses in addition thereto; such sums to be paid by the Treasurer of said County out of the general funds of said county.

Section 17. As soon as the said report shall have been completed and certified and filed with the Judge of Probate, the Clerk of the Probate Court of said County shall thereupon give notice of such filing by publication once a week for two consecutive weeks in some newspaper published in said County, or of general circulation therein, which notice shall state that said report is open for inspection in the office of the Judge of Probate of said county. Said notice may be in the following form:

"Notice of filing of Board of Assessors' Report of Ascertainment of Increased Value of Land by Reason of Special Benefits Derived by Same from Construction of Improvement Covered by Plan No. of Mobile County Seawall District Number One.

"Notice is hereby given to all persons interested in land located within Mobile County Seawall District Number One, that the Board of Assessors heretofore appointed to ascertain and determine the increased value of lands within such district, by reason of the special benefits derived by such lands from the improvements contemplated and covered by Plan of Improvement No. Mobile County Seawall District Number One, and to assess against lands in said district the cost of such improvements, approved by the Board of Commissioners of said district on the day of 19..... have filed in this office on the day of 19....., their report of the increased value of each piece, parcel, lot, tract, or other subdivision of land within said district, by reason of the special benefits derived by same from the improvements to be constructed in accordance with said Plan of Improvement No. and you and each of you are hereby notified that you may examine said report and file exception or objections to all or any part thereof on or before twelve o'clock noon of the *..... day of 19....., *(Here insert the date of the week day (holidays excepted) next immediately preceding the date of the meeting of the Board of Revenue and Road Commissioners of said County hereinafter provided for.)

.....
"Clerk of Probate Court.
"Mobile County, Alabama."

A copy of said notice of the Probate Court shall also be sent by said Clerk, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for each such piece, parcel, lot, tract or other subdivision of land lying within the limits specified in Section 9 of this act, at their last known addresses such notice to be so mailed not less than ten days before the meeting of the Court of County Commissioners herein provided for.

The Board of Revenue and Road Commissioners of said County, on some date to be fixed by said Board not less than five days after the last newspaper publication of said notice shall meet for the purpose of having any errors adjusted or any wrongful or grievous ascertainment of benefits and to hear and determine any objection or defense that may be filed to any such ascertainment of benefits or the amount thereof.

The Board of Commissioners of said District, or any owner of alnd to be affected by said report, who objects to any such ascertainment of benefits, may file objection thereto at any time up to twelve o'clock noon of the week day (holidays excepted) next immediately preceding the day of such meeting; such objections shall be in writing and shall describe the property in respect of which there is objection to the ascertainment of benefits and the amount of the benefit so ascertained, and the specific objection thereto. Persons who do not file such objections or protest in writing on or before said day shall be deemed and held to have consented to such ascertainment of benefits.

Section 18. At such meeting the Board of Revenue and Road Commissioners of said county shall hear and pass upon all objections and protests filed within the time above limited agianst such ascertainment of benefits. All such exceptions shall be heard and determined by the board in a summary manner so as to carry out liberally the purposes of such improvement and the needs of the district.

The said Board may issue subpoenas for witnesses to appear before said court, and may administer oaths to such witnesses to be examined, and may adopt such reasonable rules and regulations as the said court may deem proper.

If no exceptions are filed, said Board of Revenue and Road Commissioners shall approve and confirm the report of the Board of Assessors. If exceptions or objections are filed, and if said Board of Revenue and Road Commissioners should find that any or all such objections should be sustained, it shall change and correct the said report in accordance with the findings, entering the amount of increased value against each piece, parcel, lot, tract or other subdivision of land (according to ownership) included in said report, in accordance with its findings.

If no objections or protest is filed in the manner and within the time above limited, by the owner of any piece, parcel, lot, tract or other subdivision of land embraced within said district, such owner or owners shall be deemed and held to have consented and agreed that said piece, parcel, lot, tract, or other subdivision of land embraced within said district, will be increased in value by reason of the special benefits derived by same from the improvements covered by said plan of improvement No., in the amount stated in the report of the Board of Assessors, and such report shall as to such land be final, conclusive and binding, and shall not thereafter be open to attack in any manner whatever.

The said Board of Revenue and Road Commissioners may recess or adjourn from time to time until the consideration of said report is finally completed.

Each member of the said Board of Revenue and Road Commissioners shall receive fifteen dollars (\$15.00) per day for each day while attending or serving on said court in conenction with the hearing of objections to

and the approval of such report, plus his reasonable expenses in traveling to and from the the County seat. Such fees and expenses shall be paid out of the general fund of said county.

When all objections have been finally determined by the said Board of Revenue and Road Commissioners, the said Board shall, by order, approve said report as corrected, and shall enter upon the Minute Book of said Board a copy of the order approving said report, and shall append at the end of said report a certificate signed by the Chairman of said Board, certifying that the said report as changed by the said Board, if any objections have been made, has been finally approved by said Board.

Thereupon said report so approved or changed and approved by the Board of Revenue and Road Commissioners of Mobile County shall be final, conclusive and binding, unless appealed from on direct appeal, as hereinafter provided, and the finding, ascertainment, and determination and extent of the increased value of each piece, parcel, lot, tract, or subdivision of land within said district by reason of the special benefits derived by same from the improvements to be constructed in accordance with such plan of improvement shall not hereafter be open to question or attack by any person whomsoever, except by direct appeal as hereinafter provided, and the amount of such increased value so ascertained and determined shall form the basis of the assessment of the cost of such improvement, as hereinafter provided for.

Section 19. Any person who has filed objections to such ascertainment of benefits in the manner and within the time hereinbefore provided and who is aggrieved by the action of the said Board of Revenue and Road Commissioners in ascertaining and determining the amount and extent of the increased value of any such piece, parcel, lot, tract, or other subdivision of land within said district, by reason of the special benefits to be derived by same from the improvements to be completed in accordance with said plan of improvement, may, within thirty days thereafter, appeal to the Circuit Court of said county or any other court of like jurisdiction, by filing with the Clerk of the Circuit Court of said county within said period of thirty days, an appeal stating the matter appealed from, together with a bond with sureties to be approved by the said Clerk, in the amount of the probable costs of the appeal, payable to the Board of Commissioners of said district, and conditioned to prosecute said appeal to effect, and also if the amount of such increased value be not reduced on such appeal, to pay the cost of such appeal, including a reasonable attorney's fee for the attorney or attorneys for the Board of Commissioners of said district.

Such appeal shall affect only the particular piece, parcel, lot, tract or other subdivision of land concerning which such appeal is taken. On such appeal, only the special matter set up in said affidavit of appeal shall be considered by said Circuit Court or other court of like jurisdiction.

The Board of Commissioners of said District, on behalf of the district, may likewise appeal from any order of the said Board of Revenue and Road Commissioners in respect of any particular piece, parcel, lot, tract, or other subdivision of land, if it feels aggrieved by such portion of the order, but in that event the said Board of Commissioners of said District shall not be required to execute any bond.

Section 20. All such appeals shall be docketed in said Circuit Court, and shall be preferred cases therein.

Section 21. Upon the filing with and the approval of the appeal bond by said Judge of Probate, the Clerk of said Board of Revenue and Road Commissioners, upon notice thereof, shall immediately send to the Clerk of said Circuit Court or other court to which the appeal may be taken a transcript of all the proceedings of the said Board of Revenue and Road Commissioners relating to such ascertainment and determination of increased value of the particular piece, parcel, lot, tract or other subdivision of land

involved in such appeal. Such transcript shall contain a description of the land involved, such description to be in accordance with the description in the report of the Board of Commissioners of said District, the name of the owner or owners of such land and the amount increased value so determined.

Upon the hearing of such appeal, the introduction of such transcript and papers shall be prima facie evidence of the correctness of the findings of said Board of Revenue and Road Commissioners. Said cause or causes may be tried on the record without other pleadings and the court shall hear all objections of the land owner or owners to said findings or determination of increased value and shall determine whether or not such finding of increased value is correct, and shall render judgment accordingly, fixing and determining the amount and extent of the increased value of such piece, parcel, lot, tract, or other subdivision of land by reason of the special benefits derived or to be derived by same from the construction of the improvements embraced in the plan of improvement.

Such trial shall be had without a jury unless the person or board taking the appeal endorses on the affidavit of appeal, before or at the time said affidavit of appeal is filed with the Clerk of the Circuit Court, a demand for a jury trial, in which event the trial shall be by jury, as in common law cases.

Section 22. An appeal may be taken to the Supreme Court of Alabama by the owner of the property or by the Board of Commissioners of said district from any judgment rendered by the Circuit Court or other court of like jurisdiction, provided such appeal is taken within thirty days from the date of such judgment, upon giving bond for costs of appeal.

Section 23. Such appeal shall be heard in Supreme Court upon the record and bill of exceptions reserved by the party taking such appeal setting out such evidence as may be necessary to a fair presentation of the case, and all such appeals shall be preferred cases in the Supreme Court.

Section 24. As soon as the ascertainment or determination of the increased value of each piece, lot, tract, or other subdivision of land within said district, by reason of the special benefits derived or to be derived from the construction and completion of the improvement in accordance with the plan of improvement has been finally completed, and all appeals have been finally determined, the Board of Commissioners of said district shall advertise once a week for two successive weeks in a newspaper published within the limits of said district, or, if there be no newspaper published within the limits of said district, a newspaper of general circulation therein, asking for bids for the construction of the improvements, or the performance of the work to be done in accordance with the plan of improvement, theretofore approved by said Board. Such notice shall describe in a general way the character and approximate quantity of such work, and the types of material, including alternates, if any, to be employed, and shall refer to a copy of the plans and specifications on file in the office of said Board and shall state the date when bids will be opened, which date shall not be sooner than two weeks, nor longer than four weeks, after the date of the first publication of said notice.

Said notice shall require that a certified check or bidder's bond for one and one-half percent (1 1-2 per cent) of the total estimated cost of the work included therein shall be filed with each proposal, and shall guarantee that the bidder will, if said work is awarded to him, execute the contract therefor at the time and in the manner hereinafter set forth.

Said notice shall reserve to the Board of Commissioners of said District the right to reject any and all bids and shall provide that if any bid is tentatively accepted, it will be so accepted upon condition that the bonds hereinafter provided to be issued are sold within a period of six months of the opening of the bids, and the certified check or bidder's bond deposited

with said bid shall guarantee that the successful bidder or bidders will, upon request of the Board of Commissioners of said District, and following the sale of said bonds at any time within six months from the date of opening the bids, execute the contract or contracts for said improvements and commence the performance of the work within fifteen days after the execution of said contract or contracts.

Section 25. On the day set for the opening of bids, the Board of Commissioners of said District shall meet and shall open and consider the same. The said Board shall have the right to reject any and all bids, and may advertise for other bids, or the said Board may tentatively accept, as hereinabove provided, any proposal or proposals for the construction of such improvement covered by, or for the performance of the work to be done under the plan of improvement theretofore approved by said Board, which may be made by any person, firm, or corporation satisfactory to the said board, whether or not such person, firm, or corporation shall have filed a formal bid, at any price not in excess of the prices bid by the lowest responsible bidder filing a formal bid.

At the said meeting, or at any adjournment thereof, and as soon as the Board of Commissioners of said District shall have determined upon the type and character of materials to be used in such construction, the Board of Commissioners of said District shall fix the number of equal annual installments in which the owners of benefited land may pay the amount assessed against each piece, parcel, lot, tract, or other subdivision of land (according to ownership), if they elect so to do within the time and in the manner hereinafter provided. The number of such annual installments shall not be less than ten nor more than thirty. Such installments shall bear interest at the rate of not exceeding eight per cent per annum.

Section 26. Any contract finally executed shall be in writing, signed by the President and Secretary of said Board of Commissioners of said District. Such contract may be for either the complete construction of the work covered by the plan of improvement for a lump sum, or may be at unit prices. The work may be divided into several contracts or may be embraced in one contract. Surety bond shall be required from each contractor for the faithful performance of his contract and the completion of the work covered by his contract in accordance with the specifications, such bond to be in an amount of not less than fifty per centum (50 per centum) of the lump sum stated in said contract, if the contract be for a lump sum, or if said contract be not for a lump sum, then for an amount not less than fifty per centum (50 per centum) of the estimated total amount to be paid such contractor for the completion of his contract.

Section 27. As soon as such proposal or proposals shall have been tentatively accepted by the Board of Commissioners of said district, the Board of Commissioners shall file with the Board of Assessors hereinbefore in this Act provided for, a written statement of the estimated cost (based upon such tentatively accepted proposal or proposals) of the construction of the improvement provided for in, and covered by, the plan of improvement theretofore approved by said Board of Commissioners of said District, including in said cost all items specified in Section 11 of this Act.

The Board of Commissioners of said District shall also deliver to the Board of Assessors a well-bound book or loose leaf book firmly bound endorse and named "Seawall District Number One of Mobile County Assessment Book for Improvement Plan No.", and which name shall be written or printed at the top of each page of said book, and each page thereof shall be in tabular form, the columns of which shall be headed as follows:

- Column 1: Owner of Property Assessed;
- Column 2: Description of Property Assessed;

Column 3: Ascertained and Determined Amount of Increased Values by Reason of Special Benefits Derived from Improvements;

Column 4: Amount of Original Assessment;

Column 5: Amount of First Supplemental Assessment;

Column 6: Amount of Second Supplemental Assessment;

Column 7: Amount of Third Supplemental Assessment;

Column 8: Amount of Total Assessment.

Such book shall also contain appropriate columns in which payments may be credited, and the lien of the assessment satisfied by the proper officer or officers of the county or district.

The Board of Commissioners, before delivering said book to the Board of Assessors shall copy in columns 1, 2, and 3, respectively, the name of the owner of the property, the description of the property, and the increased value thereof, in accordance with the final determination thereof by the Board of Assessors, and as approved by said Board of Revenue and Road Commissioners and as corrected or approved in any appeals which may have been prosecuted from the action of said Board of Revenue and Road Commissioners.

Section 28. Thereupon, the Board of Assessors shall proceed to assess against each piece, parcel, lot, tract, or other subdivision of land (according to ownership), provided, however, that each such assessment against each such piece, parcel, lot, tract, or other subdivision of land shall not exceed the amount of increased value thereof by reason of the splendid benefits derived or to be derived from the construction of such improvements as theretofore determined, as hereinbefore provided.

Interest on assessment installments, when any owner of property elects to pay any assessment or assessments in installments at the times and upon the conditions in this act provided, shall not be deemed a part of the assessment, or a part of the cost of improvement, in determining whether any assessment exceeds the increased value of the land against which the assessment is levied by reason of the special benefit derived by such land from such improvement.

The Board of Assessors shall set down in Column 4 of said book the amount of each such assessment.

In arriving at the amount to be assessed against each such piece, parcel, lot, tract, or other subdivision of land, the Board of Assessors shall assess against each such piece, parcel, tract, or other subdivision of land that proportion or percentage of the total estimated cost of improvement which the increased value of that particular piece, parcel, lot, tract, or other subdivision of lands bears to the whole increased value of all land within the limits defined in Section 9 of this act, as theretofore fixed and determined, as hereinbefore provided.

No error in the name of the owner or description of land shall invalidate any assessment, if sufficient description is given to identify the land. Any error or mistake in making such assessment may be corrected at any hearing hereinafter provided for.

When the said assessments shall have been completed said book shall be signed and certified by the Chairman and Secretary of the Board of Assessors and shall be delivered to the Probate Judge of Mobile County, and the same shall be a public record.

Said Board of Assessors shall report to the Treasurer of Mobile County the number of days each has been employed and the actual expenses incurred. Each member of said Board of Assessors shall be paid fifteen dollars (\$15.00) per day for his services and necessary expenses in addition thereto, such sum to be paid by the Treasurer of said Mobile County out of the general funds of said county.

Section 28-A. All assessments levied under the provisions of this act shall rank on a parity. The sale of any lands for an assessment levied

under the provisions of this act shall not discharge such lands from the lien of any other assessment levied under the provisions hereof.

Section 29. As soon as the said Assessment Book shall have been completed and certified and filed with the Judge of Probate, the Clerk of the Probate Court of said county shall thereupon give notice of such filing by publication once a week for two consecutive weeks in some newspaper published within said district or of general circulation therein, which notice shall state said Assessment Book is open for inspection in the office of the Judge of Probate of said county. Said notice may be in the following form:

"Notice of Filing of Seawall District No. One of Mobile County, Alabama, assessment book for improvement plan No.

"Notice is hereby given to all persons interested in land located within Seawall district No. One of Mobile County, Alabama, that the Board of Assessors heretofore appointed to assess against the several pieces, parcels, lots, or other subdivisions of land in said district their respective proportionate parts or shares of the cost of the improvements contemplated and to be constructed in accordance with Improvement Plan Number of said District, approved by the Board of Commissioners of said District on the day of 19..... have filed with the Judge of Probate of said county 'Seawall District No. One of Mobile County Assessment Book for Improvement Plan No.', and you and each of you are hereby notified that you may examine said Assessment Book, and file exception or objections to all or any part thereof, on or before twelve o'clock noon of the day of 19.....

(Here insert the date of the week day (holidays excepted) next immediately preceding the date of the meeting of the Board of Revenue and Road Commissioners of said County hereinafter provided for.)

"Clerk of Probate Court, Mobile County, Alabama."

A copy of said notice shall also be sent by the Clerk of the Probate Court, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for each such piece, parcel, lot, tract, or other subdivision of land within the limits defined in Section 9 of this act, at their last known addresses, said notice to be so mailed not less than ten days before the meeting of the Board of Revenue and Road Commissioners of said County herein provided for. The Board of Revenue and Road Commissioners of said County, on some date to be fixed by said Board, not less than five days after the last newspaper publication of said notice, shall meet for the purpose of having any errors adjusted or any wrongful or grievous assessment corrected, and to hear and determine any objection and defense that may be filed to any such assessment or the amount thereof.

The Board of Commissioners of said District, or any owner of land to be affected by said assessment who objects to any such assessment or assessments may file objections thereto at any time up to 12 o'clock noon of the week day (holiday excepted) next immediately preceding the day of such meeting. Such objections shall be in writing, and shall describe the property in respect of which there is objection to the assessment, and the amount of the assessment, and the specified objection thereto. Persons who do not file such objections or protest in writing on or before said day shall be deemed and held to have consented to such assessment or assessments.

Section 30. Any property holder whose total assessment equals or exceeds fifty dollars (\$50.00) who desires to avail himself of the privilege of paying the amount of his assessment in the number of installments fixed by the Board of Commissioners of said district, as hereinbefore provided, shall, within two weeks after the date when said Assessment Book is deliv-

ered to the Judge of Probate of said county, as hereinabove provided, deliver to the chairman of the Board of Assessors an instrument in writing in substantially the following form:

"Board of Commissioners,
"Seawall District No. 1.

"I hereby consent to and confirm the assessment of dollars (\$.....) against the following described land owned by me and situated in the county of Mobile, state of Alabama (here insert description of land, as described in the assessment), and hereby agree that by reason of the improvements contemplated and to be made in accordance with the improvement plan adopted by the Board of Commissioners of Seawall District Number One of Mobile County, Alabama, on the day of 19....., if said improvements are completed in substantial compliance with the plans and specifications of such improvement on file with the said Board of Commissioners of said district, said property will be increased in value by said sum, and I, for myself, my heirs, successors and assigns, in consideration of my being granted the privilege of paying said assessment in equal annual installments, hereby agree to pay each installment, when the same becomes due, to the Tax Collector of Mobile County, Alabama, for the use of said District, and also agree to pay annually interest at the rate of not exceeding eight per cent per annum on the amount of the assessment remaining unpaid at the beginning of the previous year.

"This instrument shall in no way impair or affect the lien of such assessment on said property.

"(Signed)
(Seal).

"Witness:
.....

Such instrument shall be signed by the owner or owners of the land in respect of which it is desired to have the privilege of paying such assessment in installments, and shall be witnessed by two witnesses, and shall be delivered to the President of the Board of Commissioners of said District, within the time above limited.

Such instrument shall be recorded in the office of the Judge of Probate of Mobile County, in the same manner as miscellaneous contracts respecting lands are recorded, and the recording fees shall be included in, and paid in, the same manner as other costs of construction.

Section 31. At such meeting, the Board of Revenue and Road Commissioners of said county shall hear and pass upon all objections and protests filed within the time above limited, against such proposed assessments. All such exceptions shall be heard and determined by the said Board in a summary manner so as to carry out liberally the purposes of such improvement and the needs of the district.

The said Board may issue subpoenas for witnesses to appear before said Board, and may administer oaths to such witnesses, to be examined and may adopt such reasonable rules and regulations as the said board may deem proper."

If no exceptions are filed, the said Board shall approve and confirm the assessments made in said Book of Assessments. If exceptions or objections are filed, and if the said Board should find that any or all such objections should be sustained, it shall change and correct the said book in accordance with its findings, entering the amount of assessment against each piece, parcel, lot, tract, or other subdivision of land included in said book, in accordance with its findings.

In order that the total amount of such assessments may equal the total cost of such improvements, as such cost is defined in Section 11 of this

act, the said Board of Revenue and Road Commissioners may, if any assessment is reduced, increase assessments against any other pieces, parcels, lots, tracts, or other subdivisions of land within the limits defined in Section 9 hereof, provided the total sum assessed against each such piece, parcel, lot, tract, or other subdivision of land does not exceed the increased value of such piece, parcel, lot, tract, or other subdivision of land derived or to be derived by reason of such improvement, and does not exceed its improvement, and does not exceed its proportionate parts of said cost of construction.

In the event the said Board of Revenue and Road Commissioners should determine to increase any assessment above the amount originally stated in the Assessment Book delivered to the Judge of Probate as hereinbefore provided, the Judge of Probate shall before such increased assessment is made by said Board of Revenue and Road Commissioners notify the person named in said Assessment Book as the owner thereof, in writing, that the said Board of Revenue and Road Commissioners propose to increase such assessment, stating the amount of such increase, and requiring such person, within a day certain, not less than ten days after the day when such notice is mailed, to file, in writing, with the Chairman of said Board of Revenue and Road Commissioners any objections which he, she, or it may have to such proposed increase.

If no written protest to such increased assessment is filed within the time limited in said notice, such person or persons shall be held and deemed to have consented to such increased assessment or assessments.

If any such protest against such increased assessment is filed within the time limited, such protest shall be heard and determined in the same manner as protests against original assessments.

The said Board of Revenue and Road Commissioners may recess or adjourn, from time to time, until the consideration of said Assessment Book is finally completed.

Each member of said Board of Revenue and Road Commissioners shall receive fifteen dollars (\$15.00) per day for each day while attending or serving on said Board in connection with the hearing of objections to, and the approval of, such Assessment Book, plus his reasonable expenses in traveling to and from the county seat. Such fees and expenses shall be paid out of the general funds of said county.

When all objections have been finally determined by the said Board of Revenue and Road Commissioners, the said Board shall, by order, approve said Assessment Book, as corrected, and shall enter upon the Minutes of said Board a copy of the order approving said Assessment Book, and shall append at the end of said book a certificate signed by the Chairman of said Board, certifying that the said Assessment Book, as changed by the said Board, if any objections have been made, has been finally approved by said Board of Revenue and Road Commissioners of Mobile County.

Thereupon each assessment against each respective piece, parcel, lot tract or other subdivision of land shall constitute a lien upon each such respective piece, parcel, lot, tract, or other subdivision of land superior to all other liens except those of the state and county for taxes. Such order shall have all the force and effect of a judgment against the piece, parcel, lot, tract, or other subdivision of land against which the assessment is levied, and shall be deemed final, conclusive, binding, and incontestable, except by direct appeal, as in this act provided.

Section 32. Neither the Board of Revenue and Road Commissioners nor the Board of Commissioners of said District shall have power to reduce or abate an assessment made as herein provided, after such assessment shall have been made final, unless an appeal shall have been taken from such assessment, as herein provided. The Board of Commissioners of said District may transfer and assign the lien of any such assessment to the

contractor or contractors, who make such improvements, or to his or its or their successors or assigns, or to any holder or to some other person as trustee for the benefit of any holder or holders of any improvement bonds issued as herein provided.

Section 33. Any person aggrieved by the action of the said Board of Revenue and Road Commissioners in making any assessment hereunder may, within ten days thereafter, appeal to the Circuit Court of said county, or any other court of like jurisdiction, by filing with the Clerk of the Circuit Court of said county, within said period of ten days, an affidavit of appeal, stating the special matter appealed from, together with a bond, with sureties to be approved by the Clerk of the Circuit Court, of said county, in double the amount of such assessment, and probable costs of appeal, payable to the Board of Commissioners of said district, and conditioned to prosecute said appeal to effect, and to pay the amount of such assessment as finally may be levied against the property described in the appeal, and also if such assessment be not reduced on such appeal, the cost of such appeal including a reasonable attorneys fee for the attorney or attorneys for the Board of Commissioners of said District.

Such appeal shall affect only the particular tract or parcel of land concerning which said appeal is taken. On appeal, only the special matter set up in said affidavit of appeal shall be considered by said Circuit Court or other court of like jurisdiction. If no appeal is taken within said ten days, any such assessment fixed by said Board of Revenue and Road Commissioners shall be deemed final, conclusive, and binding upon said land, and said assessment or assessments shall not be subject to collateral attack. The Board of Commissioners of said District, on behalf of said district, may likewise appeal from any order of said Board of Revenue and Road Commissioners, if it be aggrieved, but in that event the said Board of Commissioners of said District shall not be required to execute any bond.

Section 34. Such appeals shall be docketed in said Circuit Court and shall be preferred cases therein.

Section 35. Upon the filing with and the approval of the appeal bond, the Clerk of said Board of Revenue and Road Commissioners, upon notice thereof, shall immediately send to the Clerk of said Circuit Court or other court to which the appeal may be taken a transcript of all the proceedings of the Board of Revenue and Road Commissioners relating to such assessment or assessments, so far as same concerns the property of appellant. Such transcript shall contain a description of the land of such party or parties, the same to be described according to the description on the assessment, the name of the owner or owners of such land and the amount of the assessment or assessments.

Upon the hearing of such appeal, introduction of such transcript and papers shall be prima facie evidence of the correctness of such assessment or assessments. Said cause or causes may be tried on the record without other pleadings and the court shall hear all objections of the land owner or owners to such assessment or assessments, and the amount or amounts thereof, and shall fix and determine the proper amount of such assessment.

Such trial shall be without a jury unless the person or Board taking the appeal shall endorse on the affidavit of appeal before or at the time said affidavit of appeal is filed with the Clerk of the Circuit Court a demand for jury trial, in which event the trial shall be by jury, as in common law cases.

Section 36. An appeal may be taken to the Supreme Court of Alabama by any person interested in said property, from the judgment rendered by the Circuit Court or other court of like jurisdiction, within thirty days from the date of such judgment, upon giving bond for costs of appeal, or, if supersedeas be desired, upon giving further bond in double the amount of the assessment so fixed by said Circuit Court or court of like

jurisdiction, payable to the Board of Commissioners of said district, with sufficient sureties to be approved by the Clerk of said Circuit Court, conditioned to pay the amount of such assessment or assessments or perform such judgment as the Supreme Court may render in the premises, and all such costs and damages as the said district may have sustained, including a reasonable attorney's fee for the attorney or attorneys for said district, if the judgment is affirmed.

Section 37. Such appeal shall be heard in the Supreme Court upon the record and bill of exceptions reserved by the party taking such appeal, setting out such evidence as may be necessary to a fair presentation of the case, and all such appeals shall be preferred cases in the Supreme Court.

Section 38. In the event a supersedeas bond has been given, and the said case is affirmed by the Supreme Court, it shall add to the judgment rendered by the lower court interest thereon and ten per cent damages for delay.

Section 39. The Board of Commissioners of said district may appeal, also, from any decree of said Circuit Court or other court of like jurisdiction, without giving bond, and all appeals taken pursuant to this act shall be preferred cases in the Supreme Court.

Section 40. In the event final judgment is rendered in favor of the said district, execution may be issued thereon against the principal and sureties on the appeal bond, unless the amount of the judgment and decree, together with interest thereon and all court costs, are paid within five days from the date of such judgment, and the court shall, by further order, decree that the property assessed be sold to satisfy such judgment unless such payment first be made. Nothing contained in this act shall operate to release or discharge the lien on such property unless and until the assessment, plus interest thereon and all court costs, are fully paid.

Section 41. All assessments made in accordance with the terms of this act shall be paid in cash within thirty days after the final assessment, unless the owner of such property shall have elected to pay same in installments at the time and in the manner and upon the conditions set out in Section 30 of this act.

Section 42. All assessments or installments thereof shall be payable at the office of the tax collector of Mobile County, and all assessments and installments thereof shall bear interest at seven per cent per annum after the expiration of thirty days from the date on which same is made final, which interest shall be due and payable at the time and place the assessment or installment is due and payable. In all cases where the property owner, having elected to pay in installments, fails to pay the first installment within thirty days from the date of assessment, he shall be held to have waived the right to pay in installments, and the entire assessment shall, at the expiration of said thirty days, become due and payable.

Section 43. If the property owner who has not elected to pay in installments fails to pay his assessment or assessments within thirty days, or, having elected to pay in instalments, fails to pay the first installment within thirty days from the date of such assessment or assessments, or makes default in the payment of any annual installment, or the interest thereon, the whole of such assessment or assessments, with interest thereon to original maturity thereof, shall immediately become due and payable and the tax collector of Mobile County shall proceed to sell the property against which such assessment or assessments is or are made to the highest bidder for cash, but he shall first give notice by publication once a week for three consecutive weeks, in some newspaper published in the district or of general circulation therein, of the date, place, and time of such sale and the purpose for which the same is made, together with a description of the property to be sold.

If said officer shall fail to advertise and sell any property on which payments or installments are past due, any owner of property in said district, or any holder of bonds of the series affected by such failure, whether of bonds theretofore issued or thereafter issued, shall have the right to apply for a writ of mandamus, requiring said official to take such action to any court of competent jurisdiction, and said court shall, on proof, issue and enforce such writ.

Section 44. Any property owner may pay said assessment or assessments, with interest and all costs, at any time before the sale of the property affected thereby.

Section 45. The cost of such advertisement and sale shall constitute a charge against said property to be sold, and shall be retained out of the proceeds of sale by said officer incurring said expense.

Section 46. The officer making such sale shall execute a deed to the purchaser, which shall convey all the right, title, and interest which the party against whose property the assessment was made had or held in said property at the date of making such assessment or on the date of making such sale. Any surplus arising from such sale shall be paid over to the county treasurer, or to the county depository, if there be no treasurer, to be kept as a separate fund for the assessed owner of the property, or his assigns, upon the responsibility of the official bond of such treasurer or county depository. The district may, by its agent, purchase real property sold as provided herein, and in the event of such purchase, the deed for the same shall be made to the district in its corporate name.

No bid shall be accepted with respect to any piece, parcel, lot, or other subdivision of land which is not equal to the total of all assessments levied against same, and costs.

In the event no bidder at such sale bids for any piece, parcel, lot, or other subdivision of land an amount equal to the amount of the assessment levied against same, and costs, then it shall be struck off to Seawall District No. 1 of Mobile County, Alabama, and the Board of Commissioners of said district shall have power, at any time thereafter, to sell such piece, parcel, lot, or other subdivision of land, at public or private sale for the sum equal to the amount of assessments levied against same, costs and interest.

Section 47. Such property may be redeemed by the owner or his assigns, or other persons authorized to redeem property sold for taxes in the state of Alabama, within two years from the date of sale, by paying to the purchaser or to the county treasurer, or county depository, if there be no treasurer, for him, the amount for which the property was sold, with interest thereon at the rate of fifteen per centum per annum from the date of sale, together with a fee of two dollars (\$2.00) for the expense of a conveyance.

Section 48. No mistake in said publication of the description of such property or in the name of the owner or owners shall vitiate such assessment or assessments, or such lien, and if, for any reason, the sale made for failure to pay such assessment or any sum due thereon be ineffectual to pass such title as such sale could otherwise lawfully pass, it shall operate as an assignment of such lien, and upon the request of the purchaser or purchasers, supplementary proceedings of the same general character as herein prescribed may be had to correct such error or errors in said proceedings for his or their benefit, or such lien so assigned to him or them may be enforced in equity.

Section 49. Neither the failure of any officer or persons charged by this bill with the duty to mail any notice, nor the failure of any person to receive said notice, shall in any manner affect the validity of any proceeding authorized in this act.

Section 50. It shall be the duty of the tax collector of said county to collect the assessments or the installments thereof, if payable in install-

ments as and when the same become due, together with interest thereon. If any such assessment (if not payable in installments) or any such installment remains unpaid when the owner or owners of such property offers or offer to pay state and county taxes on said property, and if any collector shall fail, when collecting such state and county taxes, to collect such seawall assessment installment or installments past due at that date, along with the state and county taxes, he shall be subject to a penalty of one hundred dollars (\$100.00) for each such instance, unless such seawall assessment has been enjoined by a court of competent jurisdiction.

The tax collector of said county shall receive a commission of one per cent for his services in making such collection, and for his service in selling property to enforce the lien of such assessment, he shall be allowed the same fees as are allowed by law for the sale of property for state and county taxes.

On the tenth of each month, the county tax collector shall turn over to the treasurer of said Board of Commissioners of said district the amount collected by him during the previous month on account of assessments or installments levied and collected in accordance with the terms of this act, less the amount of his fees and commissions, as herein provided. He shall, at the same time, deliver to the treasurer of said Board of Commissioners of said District a statement showing the persons and the property in respect of which such collections have been made, and a statement of all fees and commissions so deducted by him. When any assessment or installment thereon is paid to him, he shall enter the fact of such payment on the Assessment Book. He shall keep among the records of his office a well bound book which shall contain an account of all of his collection, fees, any payments to the treasurer of said district. Said book shall be a public record, open to inspection at all times.

The tax collector shall be liable on his official bond or bonds for any misappropriation or loss of the funds collected by him in respect of such assessments or installments or sale of property to enforce such assessments.

Section 51. The treasurer of said Board of Commissioners of said District shall be allowed a commission not exceeding one-half of one per cent upon all sums lawfully paid out by him, in accordance with the orders of the Board of Commissioners of said District, but he shall pay out no money save upon an order of the said Board and upon a warrant signed by the president and secretary of the Board of Commissioners of said District. Every warrant so paid shall state upon its face to whom paid, the amount of same, and the purpose for which same was paid. All warrants shall be dated and numbered consecutively in the record to be kept by the Board of Commissioners of said District of the number and amount of such warrants so used, and no warrant shall be paid by the treasurer unless there is in hand sufficient funds to pay all outstanding warrants bearing a lower number. The treasurer shall give bond or bonds in the sum of fifty thousand dollars (\$50,000.00) payable to the Board of Commissioners of said District, and conditioned on the faithful performance of his duties as such treasurer, and upon efficiently keeping and disbursing the funds which may come into his hands. The premiums upon said bond or bonds shall be paid out of the funds derived from the special assessments in this act provided for, and shall be part of the cost of such improvement or improvements made during the term covered by such premium.

Section 52. If the assessments first levied shall prove insufficient to complete the improvement or improvements, additional assessments shall be levied in the same manner as is herein provided for the initial assessment, provided, however, that the total assessments shall in no case exceed the increased value of the parcel of land against which such assessments is made by reason of the special benefits derived or to be derived from such improvement or improvements, as such increased value is determined and fixed in this act provided.

Section 53. As soon as assessments covering the estimated cost of any improvement have been made final, as in this act provided, the Board of Commissioners of said District may issue and sell bonds for such an amount as may be necessary to pay the cost of such improvement or improvements, as such cost is defined in Section 11 of this act.

Section 54. The bonds issued under the provisions of this act shall be payable at such place or places as the Board of Commissioners of said District may designate. They shall run serially over a period of years corresponding in number with the number of equal annual installments which the Commissioners may have theretofore, as hereinabove provided, determined that the assessments of the cost of said improvement may be paid by election of the property owner, as hereinafter provided.

The serial installments shall be approximately equal in amount and the maximum amount of bonds maturing in any one year shall not exceed the minimum amount of such bonds maturing in any one year by more than one thousand dollars, provided that if the amount of bonds in any one issue exceeds one hundred thousand dollars, the said maximum amount of bonds maturing in any one year shall not exceed the minimum amount maturing in any one year by more than five thousand dollars. Such bonds shall bear interest at the rate of not exceeding seven per centum per annum, payable semi-annually.

Section 55. Bonds issued under this act may be issued either in registered or coupon form. If they are coupon bonds, they may be registerable either as to principal or as to both principal and interest. The Board of Commissioners of said District may appoint a bank or trust company as registrar or transfer agent, and provide for the registration or transfer of bonds by such transfer agent.

Section 56. The Board of Commissioners of said District may provide by resolution ordering the construction of any improvements, or by subsequent resolution or order, that the bonds issued or to be thereafter issued, to pay for such improvement or improvements may, upon the completion and acceptance of such work, be issued to the contractor or contractors in payment of part payment of the contract price of such work.

Section 57. No bonds issued under the authority of this act shall be sold until they have been first offered at public sale. Notice of such sale shall be given by publication once a week for two consecutive weeks in a newspaper published in the district, if there is a newspaper published in such district, and, if not, in a newspaper having general circulation therein. The first newspaper notice shall appear not less than ten days prior to the date of sale. The notice shall contain a statement of the amount of bonds to be sold, the maximum rate of interest they are to bear, the date of maturity of the bonds, and the time and place of sale. Sealed proposals shall be received and opened at a public meeting, but the Board of Commissioners of said District may, after receipt of sealed proposals reject all bids. The Board of Commissioners of said District shall have the right to reject any and all bids. If no bids satisfactory to the Board of Commissioners of said District be received, the bonds may be sold at private sale, but no such private sale may be made at a price less than the highest bid received and offered at public sale.

The Board of Commissioners of said District may delegate its power to sell bonds to a committee of not less than two members of said Board, but every private sale of bonds shall be made and confirmed by a majority of the members of said Board, at a regular meeting or special meeting called for that purpose, after due notice is given.

Any bidder for bonds or other securities may name in his bid a lower interest rate than that fixed in the advertisement, and the Board of Commissioners of said District, upon acceptance of such a bid, may issue bonds in accordance therewith.

In determining the highest bidder for bonds offered for sale, the net interest cost to the district, as shown in standard bond value tables, shall govern. The finding of the Board as to highest bidder shall be final, conclusive, and binding upon all persons whomsoever.

Any bonds reciting that they are issued pursuant to this act shall, in any action or proceeding involving their validity, be conclusively deemed to be fully authorized by this act, and to have been issued, sold, executed, and delivered in conformity herewith, and with all other provisions of statutes applicable thereto, and shall be incontestable, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun within thirty days after the date of the bond resolution provided for in the next section of this act, if they are sold at public sale, or, if sold at private sale, within thirty days after the publication of the resolution authorizing the sale of said bonds at private sale; or, if delivered to the contractor or contractors in payment of work within thirty days after the publication of the resolution or resolutions authorizing the delivery of such bonds to the contractor or contractors in payment of work. All resolutions authorizing the sale of bonds at private sale, and all resolutions authorizing the issuance and delivery of bonds to a contractor or contractors in payment of work shall be published once in a newspaper published within said county having general circulation in said District.

Section 58. All bonds issued under the terms of this act shall be authorized by resolution or resolutions passed by the vote of majority of the Board of Commissioners of said District. Such resolutions shall set out the form of the bond or bonds to be issued, and shall also state:

(a) In brief and general terms, the purpose or purposes of the bond issue;

(b) The maximum amount of money to be raised by the issue;

(c) The maximum rate of interest the bonds shall bear;

(d) The number of installments in which the bonds shall mature, which must not exceed the installments hereinbefore set forth.

A copy of such resolutions shall be published once in a newspaper published in the county, of general circulation in said District.

Section 59. As soon as said bonds have been sold, the Board of Commissioners of said District shall notify the bidder or bidders whose bids have been tentatively accepted of the fact that said bonds have been sold and the contractor or contractors shall thereupon execute the contract for said improvements and proceed with the work covered thereby. If and in the event said bonds are, by resolution or order of said Board, to be delivered to the contractor or contractors in payment of work, such contractor or contractors shall proceed with the work immediately upon the expiration of thirty days after the publication of the resolution or resolutions authorizing the delivery of such bonds to the contractor or contractors in payment for work.

Section 60. When the Board of Commissioners of said District receive any funds whether from proceeds of sale of bonds, collection of assessments, or otherwise, they shall deposit such fund in such solvent bank or banks as will pay the highest rate of interest thereon on current deposits. Before designating such a depository or depositories or bank, the Board of Commissioners of said District shall report the selection of such bank or banks as depositories to the Board of Revenue and Road Commissioners, and the selection shall be approved in writing by the Board of Revenue and Road Commissioners, and said order shall be duly entered on the records of the Board of Revenue and Road Commissioners. Warrants may be drawn on such bank, and all warrants so drawn shall be signed by the president and treasurer of the Board of Commissioners of said District.

Section 61. The proceeds from the sale of bonds authorized to be issued by this act shall be applied only to the payment of the cost of the

improvement designated in the resolution or resolutions providing for their issuance.

Section 62. The treasurer of said Board of Commissioners of said District shall be liable on his official bond for any diversion of any funds received by him as proceeds from any sale of bonds to any purpose other than to the payment of the cost of improvement or improvements, as in this act provided, and the county tax collector and the treasurer shall be liable on their respective official bonds to any holder of the bonds authorized to be issued under this act from any loss or injury to such bond-holder caused by the diversion by said respective officers, or either of them, respectively, or any money received from the collection of assessments, penalties, and interest (after deducting the fees herein provided) to any other purpose than the payment of the bonds and interest coupons, and other indebtedness herein authorized to be paid out of said funds.

Section 63. The moneys collected on account of assessments, penalties, and interest shall be applied:

First, to the payment of the interest on the then outstanding bonds issued in respect of such assessments;

Second, to the payment of the annual installment of bonds then due.

Section 64. In the event the amount collected from the assessments under any improvement resolution or resolutions shall exceed the total cost and expense of such improvement or improvements, there shall be refunded to each of the parties affected by said assessment or assessments a proportionate amount of the excess on demand made therefor after maturity or payment of the bonds authorized by this act. If such claims be not presented within twelve months from the date of the maturity or payment of the last installment of such bonds, they shall be forever barred, and such amounts shall be converted to the general improvement fund of the said district.

Section 65. Whenever, in the judgment of the Board of Commissioners of said District, it may be necessary or expedient for the carrying out and full exercise of the powers hereby granted, such Board may acquire, by purchase or condemnation, the necessary lands, or rights or easements or interest therein, thereunder, and thereafter, and may proceed to condemn the same in the manner provided by the general laws of this state governing the taking of lands or the acquiring of an interest therein for the uses for which private property may be taken, in which case such proceedings shall be governed in every respect by the general laws of the state pertaining thereto.

Section 66. If any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners of said District, is not paid within thirty days after maturity, it shall be the duty of any Circuit Court having application of any holder of such bond or bonds, or interest coupon or coupons, or other negotiable evidence of debt so everdue to appoint a receiver to collect the assessments aforesaid, and if there be a deficit, the Court may provide for and make additional assessments after due hearing, against the land within the limits defined in Section 9 hereof, in an amount sufficient to make up such deficit, provided, however, that each such assessment, together with the prior assessments, shall not exceed the increased value of such land by reason of the special benefits derived by same from and by reason of such improvement. The proceeds of all such assessments and collections shall be applied, after the payment of costs of such proceedings, first to the overdue interest, and then to the payment pro rata of all bonds issued by the said Board of Commissioners of said District which are then due and payable. The said receiver may be directed by such court to foreclose the lien of assessment on any or all of said property, and any suit so brought by a receiver shall be conducted in all matters as a suit by the Board of Commissioners of said District, and with

like effect, and decrees and deeds therein shall have full force and effect, provided, however, that when all sums of money due on said bonds and coupons and other evidences of debt have been fully paid, the receiver shall be discharged, and the affairs of the district shall thereafter be conducted by the Board of Commissioners of said District.

Section 67. Annually during the month of September, the Board of Commissioners of said District shall file with the clerk of the Board of Revenue and Road Commissioners of said county a statement showing the collection made and moneys received from all sources whatsoever, the amount paid out, with proper vouchers for such payments, and such statement shall lie over for one month from the date of filing for examination and adjustment. The Board of Revenue and Road Commissioners of said county shall proceed to examine such statement at its first regular, special, or adjourned meeting after the expiration of one month from the date of said filing, and shall disallow all unjust charges and credits, if any there be, and readjust said settlement whenever an improper item appears in said settlement and such adjustment may be finally subject to a re-examination in a court of equity for error, mistake or fraud upon suit brought by the Board of Commissioners of said District, or by any tax payer of such district, or anyone else having a pecuniary interest therein. All settlements, when finally approved, shall be indexed by the clerk of the Board of Revenue and Road Commissioners and filed away as public documents.

Section 68. No commissioners or assessors shall be liable to any one for mistake or errors of judgment or negligence, but only for willful misconduct in the discharge of their duties.

Section 69. It shall be unlawful for the Board of Commissioners of said District formed under authority of this act or any officer, agent, or employee thereof corruptly to use, dispose of in any manner any bond or money arising from the sale thereof, or any fund of such district, and any commissioners, employees, or agent, whomsoever, violating the provisions of this act, as herein enumerated, shall be guilty of a felony and punished by imprisonment in the state penitentiary not less than one nor more than five years. That every member of such Board of Commissioners of said District who shall fail to make the settlement or settlements as required by the terms of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed five hundred dollars (\$500.00), and in addition thereto, may be imprisoned for a period not to exceed sixty (60) days.

Section 70. As soon as bonds have been sold to provide funds for the payment of the cost of any improvement, the treasurer of said Board of Commissioners of said District shall reimburse the general fund of the County of Mobile for all fees and expenses actually paid out of said general fund under the provisions of this act, and such sum shall be included in the cost of such particular improvement.

Section 71. The various officers of the county shall receive for services for which fees are not specially provided in this act the same fees as are received for similar services performed for the state or county, and said fees shall be paid out of the general revenues of said county.

Section 72. If any sentence, clause, or section of this act shall be held unconstitutional, this shall not affect any other section of this act, it being the intention of the Legislature in enacting this law to enact each section separately.

Section 73. All laws or parts of laws, general or local, in conflict with this act, are hereby repealed, insofar as the same affect the operation of this act. This act shall take effect upon passage and approval by the Governor.

609.6 feet, thence with an angle of 87 degrees 26 minutes to the right 1804.8 feet, thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet, thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal, thence with an angle of 137 degrees 28 minutes to the left, following said northwestern right of way line 3138.37 feet to a point of curvature, thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 682.61 feet to a point of curvature, thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south line of the northwest quarter of northwest quarter of Section 8, Township 17 South, Range 2 West, thence 714.98 feet west along the said south line of northwest quarter of northwest quarter of Section 8, Township 17 South, Range 2 West, to the east line of Section 7, Township 17 South, Range 2 West, thence with an angle of 88 degrees 38 minutes to right, running north along said east line of Section 7, Township 17 South, Range 2 West, 1322.3 feet to the point of beginning. Situated in Jefferson county, Alabama.

Section 2. That all that territory embraced within said area described in Section 1 hereof be, and the same is, hereby included within and made a part of said Town of Tarrant City.

Section 3. That the boundaries and corporate limits of the said Town of Tarrant City, as hereby extended, altered and rearranged, shall be, and are, hereby defined and established as follows:

Beginning at the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, thence north along the east boundary of the west half of the northwest quarter of said Section 9 and along the east boundary of the West quarter of Section 4, Township 17 South, Range 2 West, to the northeast corner of the northwest quarter of northwest quarter of said Section 4; thence west along the north boundary of Section 4 and Section 5, Township 17 South, Range 2 West, to its intersection with the west bank of Five Mile Creek; thence down said Five Mile Creek along its north and west bank and following the meandering of same to its intersection with the eastern boundary line of the right of way of the main line of the Louisville & Nashville Railroad Company, thence in a southerly direction along said eastern boundary line of the right of way of the Louisville & Nashville Railroad Company to its intersection with the south right of way of the county road, at a point 1257 feet south of the north boundary of Section 7, Township 17 South, Range 2 West, thence with an angle of 81 degrees 15 minutes to the left 224.3 feet; thence with an angle of 8 degrees 36 minutes to the left 609.6 feet; thence with an angle of 87 degrees 26 minutes to the right 1804.8 feet; thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet; thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal; thence with an angle of 137 degrees 28 minutes to the left, following said right of way line of said canal 3138.37 feet to a point of curvature; thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency; thence following said tangent and traversing said right of way line 682.61 feet to a point of curvature; thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency; thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south boundary line of the northwest quarter of the northwest

quarter, Section 8, Township 17 South, Range 2 West; thence east along the said boundary line of the northwest quarter of the northwest quarter, Section 8, to the southeast corner of the northeast quarter of the northwest quarter, Section 8, Township 17 South, Range 2 West; thence south along the west boundary line of the southwest quarter of the northeast quarter, Section 8, Township 17 South, Range 2 West, to its intersection with the south line of Oak Park Addition as recorded in Book of Maps, Volume Nine (9), page eighty-five (85), Probate Office of Jefferson county, Alabama; thence east along said south line of said Oak Park Addition to the west line of the southeast quarter of the northeast quarter of said Section 8; thence south along the west line of the southeast quarter of the northeast quarter of said Section 8 to the southwest corner of the southeast quarter of the northeast quarter of said Section 8; thence east along the east and west center line of Sections 8 and 9, Township 17 South, Range 2 West, to the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, the point of beginning. Situated in Jefferson county, Alabama.

Section 4. That all laws and parts of laws in conflict or inconsistent with this act be, and are, hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

Published by order of the Town Council of the Town of Tarrant City, Alabama.

Wallace Wells, Town Clerk.

THE STATE OF ALABAMA,

Jefferson County.

Before me, the undersigned authority, in and for said County, in said State, personally appeared the undersigned Charles T. Atkinson, who being by me duly sworn deposes and on oath says that he is the Managing Editor of the Tarrant City Booster, a newspaper published in the Town of Tarrant City, in Jefferson County, Alabama, and that the foregoing notice and copy of an act to extend, alter, and re-arrange the boundary lines of the corporate limits of the Town of Tarrant City was published without cost to the State of Alabama, in the issues of said Tarrant City Booster for four consecutive weeks, viz: in the issues of said paper published on April 29th, 1927, May 6th, 1927, May 13th, 1927 and May 20th, 1927.

Chas. T. Atkinson
Managing Editor.

Subscribed and sworn to before me this the 13 day of June, 1927.

Walla C. Wells,
Notary Public.

(Seal)

By Mr. Fite:

S. 342. To authorize cities which now have or which may hereafter have a population of 60,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the streets upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

By Mr. Fite:

S. 114. To provide for organization, operation and supervision of co-operative savings and credit associations to be termed "Credit Unions," and to define their powers.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

Forestry and Conservation S. 178.

Military, S. 321.

Local Legislation S. 402.

Municipal Organization S. 267; S. 342.

Banks and Banking S. 114.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 670. To amend the title and Sections 5, 12, 14 and 17 of the Act approved September 25, 1915, and entitled "An Act to establish a board of revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, provide for a clerk and engineer, and to abolish the board of public works and the jury commission of said county."

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Ward of Tuscaloosa, the House concurred in and adopted the Senate amendment to the Bill H. 670. Said Senate amendment being as follows:

Amend House Bill No. 670 so as to read as follows:

Amend Section 2 by inserting the words "Three Dollars and Fifty Cents" in place of the words "Five Dollars" wherever the latter appears in said section.

Also amend Section 2 by inserting the figures "\$3.50" in place of the figures "\$5.00" wherever the latter appears in said section.

Amend Section 5 to read as follows:

"Section 5. That Section 17 of said act be amended so as to read as follows:

Section 17. That the three members of the Board of Revenue, other than the President thereof, shall each receive a salary of not exceeding Eighteen Hundred (\$1800.00) dollars per an-

num, and shall not be entitled to any expenses or other compensation on account of any service rendered the county as such members of said Board. The salary shall be paid in monthly installments out of the County Treasury on certificates or warrants signed by the President of the Board. The salary of the President of the Board shall be six hundred (\$600.00) dollars per annum, payable in monthly installments in the same manner as other members of said Board are paid."

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Kirkpatrick	Powell
Adcock	Green	Lawler	Sanderson
Allen	Grove	Lee	Shepherd
Anderson	Gullatt	Lovelace	Shivers
Ashcraft	Guy	Luck	Simpson
Baldwin	Harwood	Martin	Starnes
Bartlett	Hightower	Merrill	Stephens
Beebe	Hollis	Monk	Tompkins
Brunson	Howard	Morrow	Tunstall
Burleson	Hughes	Moxley	Vickers
Burns	Jeter	Mullen	Waddell
Christian	Johnson	Norman	Ward (Geneva)
Cook	Jones (Bullock)	Owens	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Patterson	Ware
Desear	Jordan (Etowah)	Pitts	Webb
Edwards	Jordan (Washington)	Poole	Winn
Goode			

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MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Bills and sends same herewith to the House:

By Mr. Teasley:

S. 351. To authorize notaries public who are stockholders, etc., of banks or other corporations to take affidavits and acknowledgments of written instruments and to protest for non-acceptance or nonpayment negotiable instruments to which such banks or other corporations are parties or in which they are financially interested.

Also:

By Mr. Teasley:

S. 353. To amend Section 9023 of the Code of Alabama of 1923.

Also:

By Mr. Justice:

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture,

salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

Judiciary S. 351; S. 353.

Public Health S. 403.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 681. To amend Section 1936 of the Code of 1923.

H. 266. To prohibit the Probate Judges of this State from receiving for record any map or plat on which lands lying within the corporate limits or police jurisdiction of any city having a population of more than one hundred thousand inhabitants according to the last or any succeeding Federal census are mapped or platted as streets, alleys or other public ways unless such map or plat has noted thereon the approval of the City Engineer of such City.

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

H. 403. To define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations and societies, and to provide penalties for violation of this act.

J. E. Speight,
Secretary.

BILLS ON THIRD READING.

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other govern-

innng body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Jones (Bullock)	Parish
Adcock	Golson	Jones (Cleburne)	Patterson
Allen	Goode	Jordan (Etowah)	Pitts
Ashcraft	Goodwyn	Jordan (Washington)	Poole
Baldwin	Green	Kirkpatrick	Rankin
Beebe	Grove	Lawler	Reeder
Brunson	Gullatt	Lee	Ringer
Bryant	Guy	Luck	Rogers (Elmore)
Burns	Hampton	Martin	Rogers (Mobile)
Byars	Hawkins	Matthews	Sanders (Conecuh)
Cannon	Hightower	Miller (Marengo)	Sanders (Pike)
Christian	Hollis	Miller (Sumter)	Sanderson
Cook	Hubbard	Morrow	Shepherd
Darden	Hughes	Moxley	Shivers
Denson	Jeter	Mullen	Stewart (Calhoun)
Desear	Johnson	Owens	Thompson
Edwards			

—65

H. 727. To amend an act to amend Section 3 of an act entitled an act "To establish an Inferior Court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within, or partly within, the city of Birmingham, Alabama, except Precincts 45, 52 and 29, in lieu of all justices of the peace in said precincts, and in lieu of all notaries public, with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory; to define the jurisdiction and powers of said court, the judge, clerks, and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." approved July 12, 1915.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Adcock	Burns	Edwards	Gullatt
Allen	Cannon	Frey	Guy
Anderson	Carter	Golson	Hampton
Baldwin	Cockrell	Goode	Harwood
Beebe	Cook	Goodwyn	Hawkins
Brunson	Deloney	Graves	Hightower
Burleson	Denson	Grove	Hollis

Howard	Nipper	Ringer	Tompkins
Jeter	Norman	Rogers (Elmore)	Tunstall
Langdon	Owens	Rogers (Mobile)	Vickers
Lawler	Parish	Sanders (Conecuh)	Waddell
Loveland	Pegues	Sanders (Pike)	Ward (Geneva)
McAdory	Poole	Shivers	Ward (Tuscaloosa)
Martin	Powell	Simpson	Webb
Merrill	Rankin	Stewart (Calhoun)	Weldon
Miller (Marengo)	Reeder	Thompson	Winn
Morrow			

—65

H. 747. To relieve the tax assessor of Chambers County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessed lists.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lee	Rivers
Allen	Goodwyn	Loveland	St. John
Ashcraft	Green	Luck	Sanders (Pike)
Bartlett	Gullatt	McAdory	Sanderson
Brunson	Hampton	Matthews	Simpson
Bryant	Hawkins	Merrill	Starnes
Burleson	Hightower	Miller (Sumter)	Stephens
Byars	Howard	Morrow	Tompkins
Cannon	Hubbard	Moxley	Vickers
Carter	Jeter	Mullen	Waddell
Christian	Jones (Bullock)	Parish	Wallace
Cockrell	Jones (Cleburne)	Patterson	Ward (Geneva)
Darden	Jordan (Etowah)	Pitts	Ware
Deloney	Jordan (Washington)	Powell	Webb
Denson	Langdon	Quillin	Weldon
Edwards	Lawler	Reeder	Winn

—65

H. 870. To authorize the trustee of and for the sixteenth section in Township 17 south of range 5, west of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in Equity, after said Court has ascertained the substantial equality of the respective monetary values of each tract: and provided further that the existing lessees of said Sixteenth section consent in writing to surrender all their rights, title and interests, as lessees or otherwise, in and to said Sixteenth section, or consent to take in substitution for

their existing rights as lessee a lease to such other or different land in said Township; and to substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Luck	Rivers
Adcock	Grove	McAdory	St. John
Allen	Gullatt	Martin	Sanders (Conecuh)
Ashcraft	Hampton	Matthews	Sanders (Pike)
Baldwin	Harwood	Merrill	Sanderson
Bartlett	Hawkins	Molette	Shivers
Beebe	Hollis	Monk	Simpson
Bryant	Howard	Morrow	Starnes
Burleson	Howell	Moxley	Stephens
Cannon	Hubbard	Mullen	Stewart (Calhoun)
Carter	Hughes	Nipper	Thompson
Christian	Jeter	Norman	Tompkins
Deloney	Langdon	Owens	Vickers
Desear	Lawler	Parish	Wallace
Edwards	Lee	Patterson	Ward (Tuscaloosa)
Frey	Lovelace	Ringer	Ware
Goode			

—65

S. 254. To provide for the election of a county superintendent of education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Lee	Reeder
Anderson	Graves	Lovelace	Ringer
Ashcraft	Green	Martin	Rogers (Elmore)
Baldwin	Guy	Merrill	Sanderson
Beebe	Hampton	Miller (Marengo)	Shepherd
Brunson	Harwood	Miller (Sumter)	Shivers
Bryant	Hightower	Morrow	Starnes
Burleson	Hubbard	Moxley	Stephens
Byars	Hughes	Norman	Stewart (Calhoun)
Cannon	Jones (Bullock)	Owens	Tunstall
Carter	Jones (Cleburne)	Parish	Waddell
Christian	Jordan (Etowah)	Pegues	Wallace
Cook	Jordan (Washington)	Pitts	Ware
Darden	Kirkpatrick	Powell	Webb
Deloney	Langdon	Quillin	Weldon
Denson	Lawler	Rankin	Winn
Desear			

—65

H. 869. To make each County in the State of Alabama, which now has over One Hundred and Fifty Thousand population, according to the last census taken by the United States of America, or which may hereafter have over one hundred and fifty thousand population, according to a census which may hereafter be taken by the United States of America, A Stock Law District, and to make it unlawful for stock to run at large in such Stock Law District, subject to the same penalty or penalties and in the same manner and way as is provided by general laws of the State of Alabama, pertaining to other Stock Law Districts in the State.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Adcock	Goode	Lee	Rogers (Elmore)
Allen	Green	Luck	Rogers (Mobile)
Anderson	Grove	McAdory	St. John
Ashcraft	Guy	Martin	Sanders (Conecuh)
Baldwin	Harwood	Merrill	Sanders (Pike)
Bryant	Hightower	Miller (Sumter)	Sanderson
Burns	Howard	Morrow	Shivers
Byars	Howell	Owens	Simpson
Christian	Hughes	Parish	Starnes
Cockrell	Jeter	Pitts	Stephens
Cook	Johnson	Poole	Stewart (Calhoun)
Darden	Jones (Cleburne)	Powell	Thompson
Deloney	Jordan (Etowah)	Quillin	Tompkins
Denson	Jordan (Washington)	Reeder	Vickers
Desear	Kirkpatrick	Ringer	Ward (Geneva)
Frey	Langdon	Rivers	Ward (Tuscaloosa)
Golson			

—65

H. 816. To alter or rearrange the boundary lines of the Town of Thomasville, Alabama, so as to include in the corporate limits of said town certain territory not now included, and to exclude from the Town of Thomasville, Alabama, certain territory now included in the corporate limits of said town.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Graves	Jeter
Anderson	Christian	Harwood	Johnson
Ashcraft	Cockrell	Hawkins	Jones (Bullock)
Baldwin	Cook	Hightower	Jones (Cleburne)
Brunson	Denson	Hollis	Jordan (Etowah)
Bryant	Edwards	Howard	Jordan (Washington)
Burns	Goode	Hubbard	Lawler
Byars	Goodwyn	Hughes	Lee

Luck	Pegues	Rogers (Elmore)	Thompson
McAdory	Pitts	St. John	Vickers
Martin	Poole	Sanders (Conecuh)	Ward (Geneva)
Merrill	Powell	Sanders (Pike)	Ward (Tuscaloosa)
Morrow	Quillin	Shepherd	Ware
Moxley	Rankin	Smith	Webb
Mullen	Reeder	Stephens	Weldon
Norman	Ringer	Stewart (Calhoun)	Winn
Patterson			

—65

H. 802. To alter and re-arrange the boundary lines of the Town of Ashland, Alabama, so as to include within the corporate limits of said town the territory described in Section one of this bill.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Ashcraft	Guy	Monk	Rivers
Baldwin	Hampton	Morrow	Rogers (Mobile)
Bartlett	Harwood	Moxley	St. John
Brunson	Howard	Mullen	Sanders (Conecuh)
Burleson	Hubbard	Nipper	Sanders (Pike)
Burns	Hughes	Norman	Shepherd
Byars	Jeter	Parish	Shivers
Cannon	Johnson	Patterson	Simpson
Cockrell	Kirkpatrick	Pegues	Starnes
Cook	Langdon	Pitts	Stephens
Deloney	Lawler	Poole	Stewart (Bibb)
Desear	Lee	Powell	Stewart (Calhoun)
Edmundson	Lovelace	Quillin	Thompson
Edwards	Luck	Rankin	Tunstall
Frey	Martin	Reeder	Vickers
Golson	Molette	Ringer	Wallace
Gullatt			

—65

H. 751. To provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the general election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Brunson	Desear	Grove
Anderson	Burleson	Edwards	Gullatt
Ashcraft	Christian	Frey	Guy
Baldwin	Cockrell	Goode	Hampton
Beebe	Denson	Graves	Harwood

Howard	Matthews	Rankin	Stewart (Bibb)
Hubbard	Merrill	Reeder	Stewart (Calhoun)
Jones (Cleburne)	Miller (Marengo)	Ringer	Tompkins
Jordan (Etowah)	Miller (Sumter)	Rogers (Elmore)	Tunstall
Jordan (Washington)	Nipper	Sanders (Conecuh)	Waddell
Kirkpatrick	Owens	Sanders (Pike)	Wallace
Langdon	Parish	Sanderson	Ward (Geneva)
Lawler	Pegues	Shepherd	Ward (Tuscaloosa)
Lee	Pitts	Shivers	Ware
Lovelace	Poole	Smith	Weldon
Luck	Powell	Stephens	Winn
McAdory			

—65

H. 817. To alter or rearrange the boundary lines of the City of Tuscumbia, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Harwood	Miller (Sumter)	Stephens
Adcock	Hawkins	Monk	Stewart (Bibb)
Anderson	Hightower	Morrow	Stewart (Calhoun)
Ashcraft	Howard	Parish	Thompson
Byars	Hubbard	Patterson	Tompkins
Burleson	Hughes	Pegues	Tunstall
Christian	Johnson	Pitts	Vickers
Cook	Jones (Bullock)	Poole	Waddell
Deloney	Jones (Cleburne)	Powell	Wallace
Denson	Jordan (Etowah)	Quillin	Ward (Geneva)
Desear	Jordan (Washington)	Rankin	Ward (Tuscaloosa)
Edwards	Kirkpatrick	Reeder	Ware
Goode	Langdon	Rivers	Webb
Goodwyn	Martin	Rogers (Elmore)	Weldon
Graves	Merrill	Smith	Winn
Gullatt	Miller (Marengo)	Starnes	
Hampton			

—65

H. 803. To require the commissioners' court of Coosa County, Alabama, to publish in some newspaper published in said county for one week, a certified copy of the minutes of each regular, special, called, adjourned or revenue terms of said court, and if no newspaper is published in the county then to post certified copies of the minutes of said terms at the court house, and at the postoffices at Goodwater, Kellyton, Nixburg, Equality, Weogufka, and Marblevalley, in said county, to require the chairman or presiding officer by whatever name known or called of the commissioners' court of said county to make out said certified copy and deliver the same to the editor or publisher of some newspaper in said county, and to post certified copies of minutes at points in said county designated in this act, should there be

no newspaper published in said county, or should newspapers fail or refuse to publish the same, and to provide compensation for publishing certified copies said minutes and for making the same by the chairman of the commissioners' court, and to provide a penalty for failing to comply with the provisions of this act.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	McAdory	Rogers (Mobile)
Allen	Green	Martin	St. John
Anderson	Grove	Matthews	Sanders (Conecuh)
Ashcraft	Guy	Merrill	Sanders (Pike)
Baldwin	Hampton	Miller (Marengo)	Sanderson
Bartlett	Hawkins	Miller (Sumter)	Shepherd
Beebe	Hollis	Molette	Shivers
Brunson	Howard	Monk	Simpson
Bryant	Howell	Morrow	Smith
Burleson	Hubbard	Moxley	Starnes
Burns	Hughes	Mullen	Stephens
Byars	Jeter	Nipper	Stewart (Bibb)
Cannon	Lawler	Norman	Stewart (Calhoun)
Carter	Lee	Owens	Thompson
Darden	Lovelace	Parish	Tompkins
Goode	Luck	Rogers (Elmore)	Winn
Goodwyn			

—65

H. 804. To alter and rearrange the boundaries of the Town of Brantley in Crenshaw County, Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Lawler	Rivers
Adcock	Goodwyn	Lee	Rogers (Elmore)
Allen	Graves	Lovelace	Sanders (Conecuh)
Baldwin	Green	Monk	Sanders (Pike)
Bartlett	Grove	Morrow	Simpson
Beebe	Gullatt	Moxley	Stewart (Bibb)
Bryant	Guy	Mullen	Stewart (Calhoun)
Burns	Hampton	Norman	Tompkins
Byars	Harwood	Owens	Tunstall
Carter	Howell	Parish	Vickers
Christian	Johnson	Pegues	Ward (Geneva)
Cockrell	Jones (Bullock)	Pitts	Ward (Tuscaloosa)
Cook	Jones (Cleburne)	Powell	Ware
Edmundson	Jordan (Etowah)	Quillin	Webb
Edwards	Jordan (Washington)	Reeder	Weldon
Frey	Kirkpatrick	Ringer	Winn
Golson			

—65

H. 779. To authorize the Court of County Commissioners, Board of Revenue, or other governing body of Elmore County, Alabama, to fix the salary of the Chief Deputy Sheriff of said county.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	McAdory	Rogers (Elmore)
Adcock	Guy	Martin	Rogers (Mobile)
Allen	Harwood	Matthews	St. John
Anderson	Hawkins	Merrill	Sanders (Conecuh)
Ashcraft	Hightower	Miller (Marengo)	Sanders (Pike)
Baldwin	Hollis	Miller (Sumter)	Simpson
Bartlett	Howard	Monk	Stewart (Bibb)
Beebe	Hubbard	Morrow	Stewart (Calhoun)
Brunson	Hughes	Pegues	Tompkins
Bryant	Jeter	Pitts	Tunstall
Burleson	Jones (Bullock)	Poole	Vickers
Cannon	Jordan (Etowah)	Powell	Ward (Geneva)
Darden	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Deloney	Lawler	Rankin	Ware
Denson	Lee	Ringer	Webb
Desear	Luck	Rivers	Weldon
Frey			

—65

H. 828. To amend an act entitled an act, "To further prescribe the duties of County Treasurers in Counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31st, 1921.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Ashcraft	Grove	Martin	Pitts
Baldwin	Gullatt	Matthews	Poole
Bartlett	Hampton	Merrill	Powell
Brunson	Hawkins	Monk	Quillin
Burleson	Hightower	Morrow	Rankin
Cannon	Howard	Moxley	Reeder
Christian	Hubbard	Mullen	Rivers
Cockrell	Jeter	Nipper	St. John
Darden	Lawler	Norman	Shivers
Deloney	Lee	Owens	Simpson
Frey	Lovelace	Parish	Smith
Goodwyn	Luck	Patterson	Starnes
Graves	McAdory	Pegues	Stevens

Thompson	Vickers	Ward (Geneva)	Webb
Tompkins	Waddell	Ward (Tuscaloosa)	Weldon
Tunstall	Wallace	Ware	Winn

—65

H. 728. To amend an Act to amend Section 4 of an Act entitled an act "To establish an Inferior Court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within or partly within, the City of Birmingham, Alabama, except Precincts 45, 52, and 29 in lieu of all Justices of the peace in said precincts and in lieu of all notaries public with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory, to define the jurisdiction and power of said court, the judge, clerks and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said Judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." Approved July 12, 1915.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Hubbard	Moxley
Adcock	Denson	Jeter	Owens
Allen	Desear	Johnson	Parish
Anderson	Edwards	Jones (Bullock)	Patterson
Ashcraft	Frey	Jones (Cleburne)	Pegues
Baldwin	Golson	Jordan (Etowah)	Reeder
Bartlett	Goode	Jordan (Washington)	Ringer
Beebe	Goodwyn	Kirkpatrick	Rogers (Elmore)
Brunson	Graves	Langdon	Rogers (Mobile)
Bryant	Green	Lawler	St. John
Burleson	Grove	Matthews	Sanders (Conecuh)
Burns	Gullatt	Merrill	Sanderson
Byars	Guy	Miller (Marengo)	Shepherd
Cannon	Hawkins	Miller (Sumter)	Shivers
Carter	Hightower	Monk	Simpson
Cook	Hollis	Morrow	Starnes
Darden			

—65

H. 830. To repeal an act entitled an act, "to provide for building and maintaining public highways through incorporated towns and cities by Boards of Revenue and Courts of County Commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such Boards of Revenue and Courts of County Commissioners for road purposes," approved March 17th, 1915.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Baldwin	Lee	Poole	Smith
Christian	Lovelace	Powell	Starnes
Cockrell	Luck	Quillin	Stephens
Frey	McAdory	Rankin	Stewart (Bibb)
Goode	Martin	Reeder	Thompson
Goodwyn	Matthews	Ringer	Tompkins
Graves	Merrill	Rivers	Tunstall
Green	Miller (Marengo)	Rogers (Elmore)	Vickers
Grove	Miller (Sumter)	Rogers (Mobile)	Waddell
Gullatt	Morrow	St. John	Wallace
Guy	Norman	Sanders (Conecuh)	Ward (Geneva)
Hawkins	Owens	Sanders (Pike)	Ward (Tuscaloosa)
Hollis	Parish	Sanderson	Ware
Jeter	Patterson	Shepherd	Webb
Kirkpatrick	Pegues	Shivers	Weldon
Langdon	Pitts	Simpson	Winn
Lawler			

—65

H. 868. To authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, woco-pep or any substitute therefor, not to exceed three cents per gallon; to authorize such court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to make provision for the distribution of said tax; to prohibit any incorporated city or town in said county from levying a municipal tax on gasoline, woco-pep or any substitute therefor; to repeal the municipal taxes on said gasoline, woco-pep or any substitute therefor, which may now be levied by any incorporated city or town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burns	Graves	Jordan (Washington)
Adcock	Byars	Green	Lawler
Allen	Cannon	Grove	Lovelace
Anderson	Carter	Hampton	Martin
Ashcraft	Cockrell	Howard	Matthews
Baldwin	Cook	Hubbard	Merrill
Bartlett	Darden	Hughes	Miller (Marengo)
Beebe	Deloney	Johnson	Miller (Sumter)
Brunson	Edwards	Jones (Bullock)	Moxley
Bryant	Goode	Jones (Cleburne)	Mullen
Burleson	Goodwyn	Jordan (Etowah)	Nipper

Norman	Rankin	Sanders (Pike)	Stephens
Owens	Ringer	Sanderson	Stewart (Bibb)
Parish	Rogers (Elmore)	Shepherd	Stewart (Calhoun)
Patterson	Rogers (Mobile)	Shivers	Ward (Geneva)
Pegues	Sanders (Conecuh)	Smith	Ward (Tuscaloosa)
Quillin			

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the firemen's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees; to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under existing laws during the terms for which they have been elected, same to be trustees under this act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said Board of Trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective Firemen's pension and relief funds as created and provided in this act the respective funds and moneys and properties constituting Firemen's pension and relief funds as are existing respectively under existing

laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Jeter	Pegues	Shivers
Burleson	Jones (Bullock)	Pitts	Simpson
Byars	Jones (Clebune)	Poole	Smith
Cannon	Jordan (Etowah)	Powell	Starnes
Carter	Jordan (Washington)	Quillin	Stephens
Christian	Kirkpatrick	Rankin	Stewart (Bibb)
Cockrell	Lawler	Reeder	Stewart (Calhoun)
Cook	McAdory	Ringer	Thompson
Darden	Martin	Rivers	Tompkins
Denson	Matthews	Rogers (Elmore)	Wallace
Desear	Miller (Sumter)	Rogers (Mobile)	Ward (Geneva)
Edmundson	Morrow	St. John	Ward (Tuscaloosa)
Edwards	Moxley	Sanders (Conecuh)	Ware
Frey	Mullen	Sanders (Pike)	Webb
Golson	Nipper	Sanderson	Weldon
Harwood	Parish	Shepherd	Winn
Hawkins			

—65

H. 743. To fix and regulate the compensation of the registers of the circuit court in counties in the State having more than two hundred thousand population, according to the last or any succeeding Federal census, and to provide for the payment of such compensation.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Allen	Bartlett	Brunson
Adcock	Baldwin	Beebe	Bryant

Burleson	Guy	Nipper	Smith
Burns	Hollis	Norman	Starnes
Byars	Howard	Owens	Stephens
Cannon	Howell	Parish	Stewart (Bibb)
Carter	Hubbard	Pegues	Stewart (Calhoun)
Cockrell	Hughes	Pitts	Thompson
Cook	Jeter	Poole	Tompkins
Darden	Lawler	Powell	Tunstall
Denson	Lee	Quillin	Vickers
Desear	McAdory	Rankin	Waddell
Frey	Monk	Reeder	Wallace
Graves	Morrow	Ringer	Ward (Geneva)
Green	Moxley	Rivers	Ward (Tuscaloosa)
Grove	Mullen	Simpson	Weldon
Gullatt			

—65

H. 873. To authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

<i>Yeas:</i>			
Messrs:			
Mr. Speaker	Guy	Martin	Smith
Allen	Hampton	Matthews	Starnes
Anderson	Harwood	Merrill	Stephens
Ashcraft	Hawkins	Miller (Marengo)	Stewart (Calhoun)
Beebe	Hightower	Miller (Sumter)	Thompson
Bryant	Jeter	Monk	Tompkins
Burns	Johnson	Morrow	Tunstall
Byars	Jones (Bullock)	Moxley	Vickers
Denson	Jones (Clebune)	Mullen	Waddell
Edwards	Jordan (Etowah)	Nipper	Wallace
Frey	Jordan (Washington)	Patterson	Ward (Geneva)
Golson	Kirkpatrick	Reeder	Ward (Tuscaloosa)
Goode	Langdon	Rogers (Elmore)	Ware
Goodwyn	Lovelace	Shepherd	Webb
Graves	Luck	Shivers	Weldon
Green	McAdory	Simpson	Winn
Grove			

—65

H. 142. To further amend an Act entitled "An Act to establish an inferior criminal court for Jefferson County, Alabama, to define the jurisdiction and power of said court, the judge, clerk, and other officers thereof; to provide for the place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries," approved September 10, 1919 (Local Acts of

1919, page 121 to 130, inclusive), and the Act amending said Act, approved February 9, 1923 (Local Acts of 1923, page 16 to 19, inclusive), and to provide for the increase of the salary of the judge and other officers and employees of said court, and to amend the provisions as to the judges, officers and employees of said court, their number, appointment, authority and to provide for the creation and manner of appointment, duties and salary of an additional judge of said court, to be known as super-numerary judge.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Deloney	Hightower	Morrow
Adcock	Denson	Hollis	Moxley
Allen	Desear	Howard	Mullen
Ashcraft	Edwards	Hubbard	Nipper
Baldwin	Frey	Hughes	Norman
Bartlett	Golson	Jeter	Owens
Beebe	Goode	Lawler	Parish
Brunson	Goodwyn	Lee	Pitts
Bryant	Graves	Luck	Reeder
Burleson	Green	McAdory	Ringer
Burns	Grove	Martin	Rivers
Byars	Gullatt	Matthews	St. John
Cannon	Guy	Merrill	Simpson
Carter	Hampton	Miller (Marengo)	Thompson
Cockrell	Harwood	Miller (Sumter)	Tompkins
Cook	Hawkins	Monk	Tunstall
Darden			

—65

H. 143. To authorize and provide for the payment of the sum of two thousand five hundred (\$2,500.00) dollars for the relief of Perry J. Coyle, of Jefferson County, who was injured on the 9th day of October, 1920, while in line of duty with the National Guard of Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Hubbard	Miller (Sumter)
Adcock	Denson	Hughes	Monk
Anderson	Desear	Jeter	Morrow
Ashcraft	Edwards	Jones (Bullock)	Mullen
Baldwin	Frey	Jones (Cleburne)	Nipper
Beebe	Goode	Jordan (Etowah)	Norman
Brunson	Graves	Jordan (Washington)	Pegues
Burleson	Grove	Lee	Poole
Burns	Guy	McAdory	Powell
Byars	Harwood	Matthews	Reeder
Carter	Hawkins	Miller (Marengo)	Ringer

Rivers	Shivers	Thompson	Wallace
Rogers (Elmore)	Simpson	Tompkins	Ward (Tuscaloosa)
Rogers (Mobile)	Smith	Tunstall	Ware
St. John	Starnes	Vickers	Webb
Sanderson	Stephens	Waddell	Winn
Shepherd			

—65

H. 786. To provide for the election of a county superintendent of education for Lamar County, Alabama, to fix his or her term of office, to prescribe his or her salary, and the manner of payment, to define his or her qualifications, powers and duties, to provide for his or her election and term of office for county superintendent and to provide for the election of his or her successor in office.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Harwood	McAdory	Ringer
Adcock	Hawkins	Martin	Rivers
Allen	Hollis	Matthews	Rogers (Elmore)
Anderson	Howard	Miller (Marengo)	Rogers (Mobile)
Ashcraft	Howell	Miller (Sumter)	St. John
Baldwin	Hubbard	Mullen	Sanders (Conecuh)
Bartlett	Hughes	Nipper	Sanders (Pike)
Beebe	Johnson	Norman	Sanderson
Brunson	Jones (Bullock)	Owens	Shepherd
Bryant	Jones (Cleburne)	Parish	Shivers
Burleson	Jordan (Etowah)	Patterson	Smith
Byars	Jordan (Washington)	Pegues	Starnes
Cannon	Kirkpatrick	Pitts	Stephens
Christian	Langdon	Poole	Thompson
Cook	Lee	Powell	Tompkins
Darden	Luck	Reeder	Winn
Goode			

—65

S. 281. To provide in Lauderdale County, Alabama, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Goodwyn	Howell
Ashcraft	Deloney	Graves	Hubbard
Byars	Denson	Green	Hughes
Cannon	Desear	Grove	Jeter
Carter	Edwards	Guy	Johnson
Christian	Frey	Hightower	Langdon
Cockrell	Golson	Hollis	Lawler
Cook	Goode	Howard	Lee

Lovelace	Norman	Quillin	Tompkins
Luck	Owens	Rankin	Tunstall
Martin	Parish	Reeder	Waddell
Merrill	Patterson	Ringer	Wallace
Molette	Pegues	St. John	Ware
Monk	Pitts	Smith	Webb
Morrow	Poole	Starnes	Weldon
Moxley	Powell	Stewart (Calhoun)	Winn
Mullen			

—65

H. 72 (with substitute). To establish a State trunk road to be known as the "Shoals, National Forest and Birmingham Highway," Road No. 69.

The question was upon the adoption of the substitute reported by the Standing Committee on Public Roads and Highways. Said substitute being as follows:

A Bill to be entitled an act to establish a State trunk road to be known as the "Shoals, National Forest and Birmingham Highway," Road No. 69.

Be it enacted by the Legislature of Alabama:

Section 1. That the following described road shall be declared a State trunk road and shall be known as the "Shoals, National Forest and Birmingham Highway," Road No. 69 and described as follows: Beginning at Muscle Shoals, thence through Florence, Sheffield, Tusculumbia, Leighton, Town Creek, Hatton, Moulton, Wren, the National Forest, Double Springs, Jasper and thence over the Bankhead Highway to Birmingham.

Section 2. The road designated in Section 1 of this act shall be located, established and maintained in conjunction and co-operation with the National Government, by the State Highway Department as early as practicable and without unnecessary delay. The improvement and maintenance of said road as one of the State Trunk Roads shall be in accordance with the standard established by and subject to the approval of the State Highway Department.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor.

Mr. Byars offered the following amendment to the substitute:

Amend Substitute to H. B. 72 by striking out the words "Double Springs" and inserting in their stead the words "Houston and Clear Creek Falls."

And the amendment to the substitute was adopted.

And the substitute as amended was adopted.

Yeas, 66; nays, 1.

Yeas:

Messrs:

Adcock	Gullatt	Luck	Pitts
Anderson	Guy	McAdory	Poole
Beebe	Hampton	Martin	Powell
Burleson	Harwood	Matthews	Reeder
Byars	Hawkins	Merrill	Ringer
Carter	Hightower	Miller (Marengo)	Rivers
Christian	Hollis	Miller (Sumter)	Rogers (Elmore)
Cockrell	Howard	Monk	Rogers (Mobile)
Darden	Hughes	Morrow	Sanders (Pike)
Denson	Jeter	Moxley	Sanderson
Edwards	Johnson	Mullen	Simpson
Frey	Jones (Cleburne)	Nipper	Stewart (Calhoun)
Goode	Jordan (Etowah)	Norman	Tompkins
Goodwyn	Jordan (Washington)	Owens	Tunstall
Graves	Kirkpatrick	Patterson	Ward (Tuscaloosa)
Green	Lawler	Pegues	Ware
Grove	Lee		

—66

Nay:—Mr. Quillin—1.

And the Bill,

H. 72. To establish a State trunk road to be known as the "Shoals, National Forest and Birmingham Highway," Road No. 69.

As amended by the substitute as amended was read a third time at length and passed.

Yeas, 66; *nays*, 1.

Yeas:

Messrs.:

Adcock	Gullatt	Luck	Pitts
Anderson	Guy	McAdory	Poole
Beebe	Hampton	Martin	Powell
Burleson	Harwood	Matthews	Reeder
Byars	Hawkins	Merrill	Ringer
Carter	Hightower	Miller (Marengo)	Rivers
Christian	Hollis	Miller (Sumter)	Rogers (Elmore)
Cockrell	Howard	Monk	Rogers (Mobile)
Darden	Hughes	Morrow	Sanders (Pike)
Denson	Jeter	Moxley	Sanderson
Edwards	Johnson	Mullen	Simpson
Frey	Jones (Cleburne)	Nipper	Stewart (Calhoun)
Goode	Jordan (Etowah)	Norman	Tompkins
Goodwyn	Jordan (Washington)	Owens	Tunstall
Graves	Kirkpatrick	Patterson	Ward (Tuscaloosa)
Green	Lawler	Pegues	Ware
Grove	Lee		

—66

Nay:—Mr. Quillin—1.

H. 847. To establish an inferior court in precinct 1, Russell County, Alabama, in lieu of all justice of the peace courts in said precinct, and to define the jurisdiction and powers of said court

and the judges thereof, to provide for the execution of processes of said court and the operation thereof, to provide for the appointment, election, term of office, qualification and compensation of the judge thereof, and to abolish the offices of all justices of the peace in said precinct.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Allen	Gullatt	Morrow	Sanders (Pike)
Ashcraft	Guy	Moxley	Sanderson
Brunson	Howard	Nipper	Shepherd
Christian	Jones (Bullock)	Norman	Shivers
Cockrell	Jones (Clebune)	Owens	Starnes
Cook	Jordan (Etowah)	Patterson	Stewart (Bibb)
Darden	Jordan (Washington)	Powell	Stewart (Calhoun)
Deloney	Kirkpatrick	Quillin	Thompson
Denson	Langdon	Rankin	Tompkins
Desear	Lawler	Reeder	Tunstall
Edwards	Luck	Ringer	Vickers
Golson	Martin	Rivers	Waddell
Goode	Matthews	Rogers (Elmore)	Ward (Geneva)
Goodwyn	Merrill	Rogers (Mobile)	Ward (Tuscaloosa)
Graves	Miller (Marengo)	St. John	Ware
Green	Miller (Sumter)	Sanders (Conecuh)	Weldon
Grove			

—65

S. 284. To amend Section 6 of an act entitled "An Act to establish a board of revenue for Lowndes County, and to define the powers and duties of said board of revenue," approved March 7, 1876.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Lovelace	Shivers
Adcock	Green	Luck	Simpson
Allen	Grove	McAdory	Smith
Anderson	Gullatt	Matthews	Starnes
Ashcraft	Guy	Monk	Stephens
Baldwin	Hampton	Moxley	Stewart (Calhoun)
Bartlett	Harwood	Norman	Thompson
Beebe	Hawkins	Poole	Tompkins
Bryant	Hightower	Powell	Tunstall
Burleson	Hollis	Rankin	Vickers
Burns	Howard	Reeder	Waddell
Byars	Hubbard	Rogers (Mobile)	Wallace
Cannon	Hughes	St. John	Ware
Carter	Jeter	Sanders (Pike)	Webb
Golson	Johnson	Sanderson	Weldon
Goode	Lee	Shepherd	Winn
Goodwyn			

—65

S. 285. To amend Section 1 of an Act, entitled "An Act to divide the County of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Hightower	Mullen	Shepherd
Anderson	Howard	Nipper	Simpson
Ashcraft	Hubbard	Norman	Smith
Baldwin	Jones (Bullock)	Owens	Starnes
Brunson	Jones (Cleburne)	Patterson	Stephens
Burleson	Jordan (Etowah)	Pegues	Stewart (Bibb)
Christian	Jordan (Washington)	Pitts	Stewart (Calhoun)
Cockrell	Kirkpatrick	Poole	Thompson
Deloney	Langdon	Reeder	Tompkins
Denson	Lee	Ringer	Tunstall
Desear	Lovelace	Rivers	Vickers
Edwards	Martin	Rogers (Mobile)	Waddell
Golson	Matthews	St. John	Wallace
Graves	Merrill	Sanders (Conecuh)	Ward (Geneva)
Grove	Miller (Marengo)	Sanders (Pike)	Ward (Tuscaloosa)
Gullatt	Miller (Sumter)	Sanderson	Weldon
Guy			

—65

S. 369. To amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, Woco-Pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20th, 1923, by amending Sections 7 and 8.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Lawler	Ringer
Adcock	Graves	Lee	St. John
Allen	Green	Lovelace	Sanderson
Anderson	Grove	Martin	Shepherd
Ashcraft	Gullatt	Merrill	Shivers
Baldwin	Guy	Monk	Smith
Bartlett	Hampton	Moxley	Starnes
Beebe	Harwood	Nipper	Stephens
Brunson	Hightower	Owens	Tunstall
Bryant	Hollis	Parish	Vickers
Burleson	Howard	Patterson	Waddell
Cockrell	Howell	Pegues	Wallace
Deloney	Hubbard	Powell	Ware
Denson	Hughes	Quillin	Webb
Desear	Johnson	Rankin	Weldon
Edwards	Langdon	Reeder	Winn
Goode			

—65

H. 634. For the relief of the Decatur Cornice & Roofing Company, Inc., a Corporation, and to authorize, empower and require the City Council of the City of Decatur, Alabama, to pay to the said Company the sum of One Hundred Ninety and no-100 Dollars, (\$190.00), for the purpose of refunding to the said company the said sum, which it erroneously over-paid to the City of Albany, Alabama, on the taxes on its personal property for the year 1919, and to reimburse the said Company in the sum so over-paid.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hollis	Parish	Smith
Adcock	Howard	Patterson	Starnes
Anderson	Jones (Bullock)	Powell	Stephens
Ashcraft	Jones (Cleburne)	Quillin	Stewart (Bibb)
Baldwin	Jordan (Etowah)	Rankin	Stewart (Calhoun)
Bartlett	Jordan (Washington)	Reeder	Thompson
Brunson	Kirkpatrick	Ringer	Tompkins
Burleson	Lovelace	Rivers	Tunstall
Burns	Luck	Rogers (Elmore)	Waddell
Byars	McAdory	Rogers (Mobile)	Wallace
Frey	Martin	St. John	Ward (Geneva)
Golson	Matthews	Sanders (Conecuh)	Ward (Tuscaloosa)
Goode	Merrill	Sanders (Pike)	Ware
Goodwyn	Miller (Marengo)	Sanderson	Webb
Hampton	Miller (Sumter)	Shepherd	Weldon
Harwood	Owens	Shivers	Winn
Hawkins			

—65

H. 788. To amend an act entitled "An act to provide for the working, repairing, maintaining and improving the public roads of Monroe County, Alabama; to prescribe rules and regulations for the same; to provide a per capita road tax in lieu of labor on the public roads of Monroe County, Alabama, and for the collection of a license tax for vehicles and motor driven trucks providing for superintendents of the public roads of Monroe County; providing for the duties of members of the Board of Revenue with reference to public roads and bridges of Monroe County; prescribing penalties for the violation of the same," approved August 1st, 1923, by amending sections 5, 9, 10, 11, and 12 thereof to read as hereinafter set out, and to repeal sections 14, 15, 16, 17, 18, 19, and 20 thereof.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Desear	Langdon	Rankin
Adcock	Edwards	Lawler	Reeder
Allen	Frey	Lee	St. John
Ashcraft	Golson	Luck	Shivers
Baldwin	Goode	McAdory	Simpson
Bartlett	Goodwyn	Martin	Smith
Beebe	Graves	Matthews	Starnes
Bryant	Green	Merrill	Stephens
Burleson	Grove	Moxley	Tunstall
Burns	Gullatt	Mullen	Vickers
Byars	Guy	Nipper	Waddell
Cannon	Harwood	Owens	Wallace
Carter	Hawkins	Parish	Ware
Cook	Hollis	Pegues	Webb
Darden	Howard	Pitts	Weldon
Deloney	Howell	Poole	Winn
Denson			

—65

H. 878. To repeal the Act entitled "An Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Anderson	Cook	Hawkins	McAdory
Ashcraft	Darden	Hightower	Martin
Baldwin	Denson	Jones (Bullock)	Matthews
Beebe	Desear	Jones (Clebune)	Miller (Marengo)
Bryant	Edmundson	Jordan (Etowah)	Miller (Sumter)
Burns	Grove	Jordan (Washington)	Molette
Byars	Guy	Kirkpatrick	Morrow
Cannon	Hampton	Langdon	Moxley
Carter	Harwood	Lawler	Nipper

Norman	Rogers (Mobile)	Stewart (Bibb)	Wallace
Patterson	St. John	Stewart (Calhoun)	Ward (Geneva)
Quillin	Sanders (Conecuh)	Thompson	Ward (Tuscaloosa)
Rankin	Sanders (Pike)	Tompkins	Ware
Reeder	Sanderson	Tunstall	Webb
Ringer	Simpson	Vickers	Weldon
Rivers	Smith	Waddell	Winn
Rogers (Elmore)			

—65

H. 824. To require County Board of Education of Coosa County, Alabama, to publish certified copies of the minutes of its proceedings of each regular, special, called and adjourned terms in some newspaper published in Coosa County, Alabama, and if no newspaper is published in the County then to require certified copies of the minutes of such terms to be posted at the court house and at the postoffices of the county; to provide for a certified copy of the minutes to be delivered to the publisher of some newspaper, and to provide for payment of publication of the minutes and for making the certified copy of the same; and to provide a penalty for failing to comply with the provisions of this act.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Moxley	Sanderson
Adcock	Gullatt	Mullen	Shepherd
Allen	Guy	Nipper	Shivers
Anderson	Hampton	Norman	Simpson
Ashcraft	Harwood	Owens	Smith
Baldwin	Hawkins	Parish	Starnes
Bartlett	Hightower	Pitts	Stephens
Beebe	Hollis	Poole	Tunstall
Brunson	Howard	Powell	Vickers
Christian	Howell	Quillin	Waddell
Cockrell	Hubbard	Rankin	Wallace
Cook	Hughes	Reeder	Ward (Geneva)
Darden	Jeter	Ringer	Ware
Deloney	Johnson	Rivers	Webb
Denson	Monk	Rogers (Mobile)	Weldon
Desear	Morrow	St. John	Winn
Frey			

—65

H. 760. To amend Sections 2 and 4 of an Act entitled "An Act to provide for the election of a county solicitor for Monroe County, to define his duties and fix his compensation," approved September 25th, 1919.

Mr. Lee offered the following amendment to the Bill H. 760.

Amend House Bill 760 by eliminating from Section 2 of said bill the words and figures "Fifteen Hundred (\$1500.00)" and in-

sert in lieu thereof the following words and figures: "Eighteen Hundred (\$1800)."

And the amendment offered by Mr. Lee was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Anderson	Green	Luck	Pegues
Ashcraft	Grove	McAdory	Rogers (Mobile)
Brunson	Gullatt	Martin	St. John
Bryant	Guy	Matthews	Sanders (Conecuh)
Cockrell	Hollis	Merrill	Sanders (Pike)
Cook	Howard	Miller (Marengo)	Starnes
Darden	Howell	Miller (Sumter)	Stephens
Deloney	Jeter	Monk	Stewart (Bibb)
Denson	Johnson	Morrow	Stewart (Calhoun)
Desear	Jones (Bullock)	Moxley	Thompson
Edmundson	Jones (Cleburne)	Mullen	Tompkins
Edwards	Jordan (Etowah)	Nipper	Tunstall
Frey	Jordan (Washington)	Norman	Vickers
Golson	Lawler	Owens	Waddell
Goode	Lee	Parish	Wallace
Goodwyn	Lovelace	Patterson	Ware
Graves			

—65

And the Bill,

H. 760. To amend Sections 2 and 4 of an Act entitled "An Act to provide for the election of a county solicitor for Monroe County, to define his duties and fix his compensation," approved September 25th, 1919.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Martin	St. John
Adcock	Graves	Matthews	Sanders (Conecuh)
Allen	Green	Merrill	Sanderson
Anderson	Hampton	Miller (Marengo)	Shepherd
Ashcraft	Harwood	Miller (Sumter)	Shivers
Baldwin	Hightower	Monk	Simpson
Bartlett	Hollis	Morrow	Smith
Beebe	Jeter	Moxley	Stewart (Bibb)
Brunson	Johnson	Mullen	Stewart (Calhoun)
Bryant	Jones (Bullock)	Patterson	Thompson
Burleson	Langdon	Pegues	Waddell
Burns	Lawler	Pitts	Wallace
Byars	Lee	Poole	Ware
Cook	Lovelace	Reeder	Webb
Darden	Luck	Ringer	Weldon
Frey	McAdory	Rivers	Winn
Golson			

—65

S. 341. To amend an Act entitled "An Act to amend the title, and Sections one, four, six, seven, eight, nine, eighteen, twenty-seven, thirty and thirty-three of an Act entitled: 'An Act to regulate inferior courts or courts of common pleas, or by whatsoever name the same is known and called, in cities having as many as thirty-five thousand and less than fifty thousand population, according to the last or any subsequent Federal census; to provide and define the jurisdiction and powers of such courts; to provide for the judges and officers of such courts, and their powers, duties and compensation and to fix the fees and costs for such courts; to provide the rules of procedure for such courts; and for the operation thereof, and to provide for registering, and a lien for its judgments; and to abolish justices of the peace in such cities', approved February 19, 1919, found in the General Acts of Alabama, 1919, pages 155 to 163, inclusive" approved September 7th, 1923, found in the General Acts of Alabama, 1923, pages 251 to 255, inclusive.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Matthews	Shepherd
Adcock	Goodwyn	Merrill	Shivers
Allen	Graves	Norman	Simpson
Anderson	Green	Owens	Smith
Ashcraft	Grove	Parish	Starnes
Baldwin	Guy	Patterson	Stephens
Bartlett	Hampton	Pegues	Tunstall
Beebe	Jeter	Pitts	Vickers
Burns	Johnson	Poole	Waddell
Byars	Langdon	Rankin	Wallace
Cannon	Lawler	Reeder	Ward (Geneva)
Carter	Lee	Ringer	Ward (Tuscaloosa)
Christian	Lovell	Rivers	Ware
Cockrell	Luck	Rogers (Mobile)	Webb
Cook	McAdory	St. John	Weldon
Denson	Martin	Sanderson	Winn
Desear			

—65

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of eight hundred dollars out of the general funds of the county, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Beebe	Byars	Edmundson	Goodwyn
Brunson	Cannon	Edwards	Graves
Bryant	Carter	Frey	Green
Burleson	Denson	Golson	Grove
Burns	Desear	Goode	Gullatt

Guy	Luck	Patterson	Stewart (Bibb)
Hampton	McAdory	Pegues	Stewart (Calhoun)
Howard	Martin	Pitts	Vickers
Howell	Matthews	Poole	Waddell
Hubbard	Merrill	Reeder	Wallace
Hughes	Miller (Marengo)	Ringer	Ward (Geneva)
Jeter	Miller (Sumter)	Rivers	Ward (Tuscaloosa)
Johnson	Monk	Rogers (Elmore)	Ware
Langdon	Morrow	Sanderson	Webb
Lawler	Moxley	Shepherd	Weldon
Lee	Mullen	Shivers	Winn
Lovelace			

—65

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Goodwyn	Kirkpatrick	St. John
Adcock	Graves	Langdon	Sanders (Conecuh)
Allen	Green	Lawler	Sanders (Pike)
Beebe	Grove	Lee	Sanderson
Brunson	Gullatt	Lovelace	Shepherd
Bryant	Guy	Luck	Shivers
Burleson	Hampton	Martin	Simpson
Burns	Hollis	Matthews	Smith
Byars	Howard	Merrill	Starnes
Cannon	Howell	Owens	Stephens
Carter	Jeter	Parish	Stewart (Bibb)
Denson	Johnson	Patterson	Stewart (Calhoun)
Desear	Jones (Bullock)	Pegues	Tunstall
Edmundson	Jones (Cleburne)	Rankin	Vickers
Edwards	Jordan (Etowah)	Reeder	Waddell
Frey	Jordan (Washington)	Rogers (Mobile)	Wallace
Golson			

—65

S. 340. To fix the salary of Judges of Probate in all counties in this State which now have, or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said Judges of Probate and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such Judges of Probate, and to provide for an election clerk to be appointed by said Judges of Probate, who shall also be ex-officio clerk of the Board of Registrars in said counties, define his

duties and fix his compensation; and to require all of said Judges of Probate to pay into the County Treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said Judges of Probate as other moneys belonging to said counties are paid.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Martin	Rogers (Elmore)
Adcock	Golson	Monk	Sanders (Pike)
Allen	Goode	Morrow	Sanderson
Anderson	Goodwyn	Moxley	Shepherd
Ashcraft	Guy	Mullen	Shivers
Baldwin	Hampton	Nipper	Simpson
Bartlett	Harwood	Norman	Smith
Beebe	Hubbard	Owens	Stewart (Calhoun)
Brunson	Hughes	Parish	Thompson
Carter	Jeter	Patterson	Tompkins
Christian.	Johnson	Pegues	Ward (Geneva)
Cockrell	Lawler	Pitts	Ward (Tuscaloosa)
Cook	Lee	Poole	Ware
Denson	Lovelace	Powell	Webb
Desear	Luck	Ringer	Weldon
Edmundson	McAdory	Rivers	Winn
Edwards			

—65

H. 606. To amend an act entitled an act to amend an act, to establish a county court for Morgan County; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County. approved September 19, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Brunson	Harwood	Martin	Poole
Bryant	Hawkins	Matthews	Powell
Burleson	Jeter	Merrill	Quillin
Burns	Johnson	Miller (Marengo)	Rankin
Cockre'l	Jones (Bullock)	Miller (Sumter)	Reeder
Cook	Jones (Cleburne)	Monk	Ringer
Darden	Kirkpatrick	Morrow	Rivers
Deloney	Langdon	Owens	Rogers (Mobile)
Goode	Lawler	Parish	St. John
Goodwyn	Lee	Patterson	Sanderson
Guy	Luck	Pegues	Shepherd
Hampton	McAdory	Pitts	Shivers

Simpson	Stewart (Calhoun)	Vickers	Ware
Smith	Thompson	Waddell	Webb
Starnes	Tompkins	Wallace	Weldon
Stephens	Tunstall	Ward (Geneva)	Winn
Stewart (Bibb)			

—65

H. 636. For the relief of the Decatur Cornice & Roofing Company, Inc., a Corporation, and to authorize, empower and require the Board of Revenue of Morgan County, Alabama, to pay to the said Company the sum of Two Hundred Forty-nine and 38-100 Dollars (\$249.38) for the purpose of refunding to the said Company the said sum, which it erroneously over-paid to the County of Morgan, on the taxes on its personal property for the year 1919, and to reimburse the said Company in the said sum so over-paid.

Was read a third time at length and passed. -

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Martin	Shepherd
Adcock	Green	Matthews	Shivers
Ashcraft	Grove	Merrill	Simpson
Baldwin	Gullatt	Monk	Smith
Bartlett	Guy	Morrow	Starnes
Beebe	Hollis	Moxley	Stephens
Burleson	Howard	Mullen	Thompson
Burns	Howell	Nipper	Tompkins
Byars	Hubbard	Patterson	Tunstall
Deloney	Jones (Cleburne)	Pegues	Vickers
Denson	Jordan (Washington)	Quillin	Waddell
Desear	Kirkpatrick	Rankin	Wallace
Edmundson	Lee	Reeder	Ware
Frey	Lovelace	Ringer	Webb
Golson	Luck	Sanders (Pike)	Weldon
Goode	McAdory	Sanderson	Winn
Goodwyn			

—65

H. 577. To repeal an act entitled, "An Act to make it lawful for any person or persons to use fish traps with fingers or slats not less than one and one-half inch apart for the purpose of taking or catching fish in that part of Coosa River that lies within St. Clair County, Alabama, and to further regulate the operation of such traps, approved September 24, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Adcock	Bryant	Cannon	Edmundson
Allen	Burleson	Deloney	Edwards
Anderson	Burns	Denson	Frey
Ashcraft	Byars	Desear	Golson

Goode	Jordan (Etowah)	Pitts	Starnes
Goodwyn	Jordan (Washington)	Poole	Stephens
Graves	Monk	Powell	Tompkins
Green	Morrow	Rogers (Mobile)	Tunstall
Hollis	Moxley	St. John	Vickers
Howard	Mullen	Sanders (Conecuh)	Waddell
Howell	Nipper	Sanders (Pike)	Wallace
Hubbard	Norman	Sanderson	Ward (Tuscaloosa)
Hughes	Owens	Shepherd	Ware
Jeter	Parish	Shivers	Webb
Johnson	Patterson	Simpson	Weldon
Jones (Bullock)	Pegues	Smith	Winn
Jones (Cleburne)			

—65

H. 848. To provide for the election of a County Superintendent of Education for St. Clair County, Alabama, by the qualified electors of said county, and to prescribe the duties and fix the term of office and compensation of such officer.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Moxley	Shepherd
Adcock	Graves	Mullen	Shivers
Allen	Green	Nipper	Simpson
Anderson	Hollis	Norman	Smith
Bryant	Howard	Owens	Starnes
Burleson	Howell	Parish	Stephens
Burns	Hubbard	Patterson	Thompson
Byars	Hughes	Pegues	Tompkins
Cannon	Jeter	Pitts	Tunstall
Deloney	Johnson	Poole	Vickers
Denson	Jones (Bullock)	Powell	Waddell
Desear	Jones (Cleburne)	Rogers (Mobile)	Wallace
Edmundson	Jordan (Etowah)	St. John	Ware
Edwards	Jordan (Washington)	Sanders (Conecuh)	Webb
Frey	Monk	Sanders (Pike)	Weldon
Golson	Morrow	Sanderson	Winn
Goode			

—65

H. 811. To provide that in St. Clair County, Alabama, the assessment lists or sheets shall constitute the book of assessments as required by the general revenue law.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Beebe	Christian	Graves
Adcock	Brunson	Frey	Green
Allen	Bryant	Golson	Grove
Anderson	Cannon	Goode	Gullatt
Ashcraft	Carter	Goodwyn	Guy

Hollis	Morrow	Powell	Shivers
Howard	Moxley	Quillin	Simpson
Howell	Mullen	Rankin	Smith
Jordan (Etowah)	Nipper	Reeder	Starnes
Jordan (Washington)	Norman	Ringer	Stephens
Kirkpatrick	Owens	Rivers	Stewart (Bibb)
Luck	Parish	Rogers (Elmore)	Stewart (Calhoun)
McAdory	Patterson	Rogers (Mobile)	Tunstall
Martin	Pegues	St. John	Vickers
Matthews	Pitts	Sanders (Conecuh)	Ward (Geneva)
Merrill	Poole	Sanders (Pike)	Winn
Monk			

—65

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	Morrow	Shepherd
Adcock	Gullatt	Moxley	Shivers
Allen	Guy	Mullen	Simpson
Brunson	Hollis	Nipper	Smith
Bryant	Howard	Norman	Starnes
Burleson	Howell	Owens	Stephens
Burns	Jordan (Etowah)	Parish	Thompson
Byars	Jordan (Washington)	Poole	Tompkins
Christian	Luck	Powell	Tunstall
Cockrell	McAdory	Quillin	Vickers
Cook	Martin	Rankin	Waddell
Darden	Matthews	Reeder	Wallace
Deloney	Merrill	Ringer	Ware
Denson	Miller (Marengo)	Rivers	Webb
Desear	Miller (Sumter)	Rogers (Elmore)	Weldon
Frey	Monk	Sanderson	Winn
Golson			

—65

H. 721. To authorize and empower the city of Tuscaloosa, Alabama, to sell for public or private purposes and public or pri-

vate use certain property owned by it situated on the Warrior River in said city and State.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Bryant	Goode	Merrill	Reeder
Burleson	Goodwyn	Monk	Ringer
Burns	Guy	Morrow	Rivers
Byars	Hampton	Moxley	St. John
Cannon	Harwood	Mullen	Sanders (Conecuh)
Carter	Howell	Nipper	Sanders (Pike)
Christian	Hubbard	Norman	Smith
Cockrell	Hughes	Owens	Starnes
Cook	Jeter	Parish	Stephens
Darden	Johnson	Patterson	Wallace
Deloney	Lawler	Pegues	Ward (Geneva)
Denson	Lee	Pitts	Ward (Tuscaloosa)
Desear	Luck	Poole	Ware
Edmundson	McAdory	Powell	Webb
Edwards	Martin	Quillin	Weldon
Frey	Matthews	Rankin	Winn
Golson			

—65

H. 741. To reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:

Ashcraft	Gullatt	Monk	St. John
Baldwin	Guy	Morrow	Sanderson
Bartlett	Harwood	Moxley	Shepherd
Beebe	Hawkins	Mullen	Shivers
Burns	Hollis	Nipper	Simpson
Byars	Howard	Norman	Smith
Cannon	Howell	Owens	Starnes
Cook	Hubbard	Parish	Stephens
Darden	Hughes	Powell	Waddell
Deloney	Jeter	Quillin	Wallace
Frey	Johnson	Rankin	Ward (Geneva)
Golson	Luck	Reeder	Ward (Tuscaloosa)
Goode	McAdory	Ringer	Ware
Goodwyn	Martin	Rivers	Webb
Graves	Matthews	Rogers (Elmore)	Weldon
Green	Merrill	Rogers (Mobile)	Winn
Grove			

—65

H. 109. To require all parties filing papers in the Probate Office for record to at the time of, or before filing same, endorse on the back of said papers the names of the grantors and grantees either with typewriter or written in legible hand.

Was read a third time at length and passed.
Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Molette	Reeder
Adcock	Graves	Monk	Ringer
Allen	Green	Morrow	Rivers
Bartlett	Grove	Moxley	St. John
Beebe	Gullatt	Mullen	Shepherd
Burns	Guy	Nipper	Shivers
Byars	Hollis	Norman	Simpson
Cannon	Howard	Owens	Smith
Carter	Howell	Parish	Starnes
Cook	Hubbard	Patterson	Stephens
Darden	Hughes	Pegues	Tunstall
Deloney	Jeter	Pitts	Vickers
Denson	Johnson	Poole	Waddell
Desear	Langdon	Powell	Webb
Fite	Lawler	Quillin	Weldon
Frey	Lee	Rankin	Winn
Golson			

—65

H. 110. To regulate and fix the size of paper to be used in filing papers for record in all Probate offices in the State of Alabama that now use or may hereafter use, photograph or photostat machines for recording.

Was read a third time at length and passed.
Yeas, 65; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Luck	Rogers (Mobile)
Adcock	Graves	McAdory	St. John
Allen	Green	Martin	Sanders (Conecuh)
Anderson	Guy	Matthews	Sanders (Pike)
Ashcraft	Hampton	Merrill	Simpson
Baldwin	Harwood	Miller (Marengo)	Smith
Bartlett	Hawkins	Miller (Sumter)	Stewart (Bibb)
Beebe	Howell	Monk	Stewart (Calhoun)
Burns	Hubbard	Morrow	Thompson
Byars	Jones (Bullock)	Owens	Tompkins
Cannon	Jones (Cleburne)	Parish	Tunstall
Carter	Jordan (Etowah)	Pitts	Vickers
Cook	Jordan (Washington)	Poole	Waddell
Darden	Lawler	Reeder	Wallace
Frey	Lee	Ringer	Ward (Geneva)
Golson	Lovelace	Rivers	Ward (Tuscaloosa)
Goode			

—65

H. 533. To amend Section 29 of an Act approved August 15, 1923, and entitled "An Act to amend an Act approved September 25th, 1915, entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have

or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act'; and to provide for the going into effect of various sections of said Act as amended."

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lovlace	St. John
Adcock	Goode	Martin	Sanders (Conecuh)
Allen	Goodwyn	Matthews	Sanders (Pike)
Anderson	Graves	Merrill	Shepherd
Ashcraft	Green	Monk	Shivers
Baldwin	Hawkins	Morrow	Simpson
Beebe	Hightower	Mullen	Smith
Prunson	Hollis	Nipper	Starnes
Burns	Hubbard	Owens	Stewart (Calhoun)
Byars	Hughes	Parish	Thompson
Cockrell	Jeter	Pitts	Waddell
Cook	Jones (Bullock)	Poole	Wallace
Denson	Jones (Cleburne)	Powell	Ward (Geneva)
Desear	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Edmundson	Langdon	Rankin	Ware
Edwards	Lee	Rogers (Mobile)	Webb
Frey			

—65

And on motion of Mr. Martin all House Bills passed at the afternoon session were ordered send forthwith to the Senate without engrossment.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 12:05 P. M. on July 28, 1927.

H. 574, H. 679, H. 678, H. 619, H. 599, H. 379, H. 629, H. 221, H. 559, H. 257, H. 425, H. 455, H. 558, H. 560, H. 621, H. J. R. 112, H. J. R. 115.

J. H. Stewart,
Clerk.

ADJOURNMENT.

On motion of Mr. Jeter the House adjourned until ten o'clock
A. M. Friday, July 29th, 1927.

THIRTY-EIGHTH DAY

House of Representatives.
Montgomery, Alabama.
Friday July 29th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Mr. Thompson
of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Green	Matthews	Sanders (Conecuh)
Ashcraft	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace		

—106

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 37th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 37th legislative day was approved.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Monk:

H. R. 138. Be it resolved by the House of Representatives that when the regular business is transacted today, House Bill No. 34, be made a special paramount and continuing order till disposed of.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Etowah:

H. R. 139. Resolved that House Bill No. 935, be made a paramount continuing order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. McAdory:

H. R. 140. Resolved that House Bills Numbers 399, 396, 394, 392, 405, 597, 397, 401, 410, 411, 404, 400, 412, 409, 413, 414 463, 229, 395, 415, and 801, be made a special paramount and continuing order, in the order named, for the 40th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules:

By Mr. Allen:

H. R. 141. Resolved that House Bill 152 and Senate Bill 256 be made paramount and continuing orders for the 40th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Harwood:

H. R. 142. To make Senate Bill 65 a special paramount and continuing order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Hughes:

H. R. 143. Resolved by the House that House Bill 805 be made a special paramount continuing order for the 38th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Sumter:

H. R. 144. Resolved that House Bill No. 54 be made a special paramount continuing order for 11:00 o'clock on the 40th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. J. R. 145. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 2nd, 1927.

And the Rules were suspended and the resolution was adopted.

By Mr. Simpson:

H. R. 146. Be it resolved that H. 833 be made a special, paramount and continuing order on the calendar of the House on the 39th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Tuscaloosa:

H. R. 147. Be it resolved by the House that S. 396 be made a special paramount and continuing order for the 39th Legislative Day and until disposed of.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Tuscaloosa:

H. R. 148. Be it resolved by the House that H. 318 be made a special paramount and continuing order for the 39th Legislative Day at the hour of 3:30 p. m. and until disposed of.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Brunson:

H. R. 149. Resolved that House Bill 775 be made a special, paramount and continuing order for the 39th Legislative Day, immediately after reports of Standing Committees.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. R. 150. Resolved that H. B. 385, 789, 287, 286, 845 be made paramount special orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ware:

H. R. 151. Resolved that H. B. 887 be made a special paramount and continuing order for the 39th Legislative Day immediately after the report of Standing Committees.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Martin:

H. R. 152. Resolved that House Bills 717, 718, 662 and 663 be made special paramount and continuing orders for the 40th Legislative Day.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Burleson (With Notice and Proof):

H. 971. To provide for the election of a county superintendent of education for Moragn County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

Education.

Notice and Proof H. 971.

NOTICE

Is hereby given that the undersigned will introduce the following bill at the regular session of the Legislature of the State of Alabama which convenes on January 11th, 1927.

A BILL

To be entitled An Act to provide for the election of a County Superintendent of Education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

Section 1: At the general election for the year 1928 and every four years thereafter there shall be elected a County Superintendent of Education for Morgan County, Alabama, by the qualified voters of said county, who shall hold office for a term of four years from the first Monday in July next succeeding such election, and until a successor is elected and qualified.

Section 2: Such County Superintendent of Education must be a qualified elector of said county nad possess all the other qualifications required under the general laws of the State for County Superintendent of Education

and he shall perform and discharge all the duties of County Superintendent of Education under the general laws of this State, provided, that if there be a vacancy in said office for any cause whatever the County Board of Education is authorized to fill such vacancy as provided by the general laws of the State.

Section 3: No person shall be eligible for political party nomination, or for election to the office of County Superintendent of Education of said county, who does not as now required hold an Alabama certificate in administration and supervision based as a minimum, upon graduation from a Standard Normal School, or equivalent education with at least one year of additional study of college grade, and proof of three years of successful teaching experience; provided, that if no person meeting these requirements qualifies for nomination and election as provided in this county, the County Board of Education shall appoint a County Superintendent of Education as provided by the general laws regulating the appointment of County Superintendents of Education.

Section 4: The County Superintendent of Education elected or appointed under the provisions of this Act shall before entering upon the duties of said office take the oath of office prescribed by the Constitution and give bond in an amount to be fixed by the State Board of Education, in a reputable surety company, authorized to do business in the State of Alabama, conditioned upon the faithful performance of the duties of this office, and upon the accounting and paying over to the proper authority all money coming into his hands.

Section 5: Such County Superintendent of Education shall devote his entire time to the public school business of Morgan County and shall receive such compensation as the County Board of Education shall fix, which shall not be less than eighteen hundred (\$1,800.00) dollars, nor more than twenty-five hundred (\$2,500.00) dollars per annum, and shall be paid at the time and in the manner provided by the general laws of this State for the payment of the salaries of County Superintendents of Education.

Section 6: All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

F. E. Burleson.

Published Dec. 23 and 30, 1926; Jan. 6 and 13, 1927.

PUBLISHER'S AFFIDAVIT

State of Alabama,
Morgan County.

Before me, the undersigned authority, personally appeared C. R. Walker, who being first duly sworn, deposes and says:

That he is the editor and publisher of the Hartselle Enterprise, a weekly newspaper published at Hartselle, in Morgan County, Alabama, and of general circulation in said county; that the attached notice was published four consecutive times in said Hartselle Enterprise, beginning with the issue of December 23, 1926.

C. R. Walker.

Subscribed and sworn to before me, this 21 day of January, 1927.

Jos. E. Peek,
Notary Public.

By Mr. Tunstall:

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

Appropriations.

By Mr. Shivers:

H. 973. To authorize the State Board of Administration, with the approval of the Governor, to sell or otherwise dispose of land and other properties of the State and to make contracts relative thereto and execute deeds therefor in the name of the State of Alabama.

Judiciary.

By Mr. Shivers (With Notice and Proof):

H. 974. To create a county highway commission for Perry County, Alabama, and to define the powers and duties thereof.

Local Legislation.

Notice and Proof H. 974.

NOTICE

A LOCAL BILL

Notice is hereby given that application will be made at the present session of the Legislature of Alabama to pass a bill substantially as follows: "A bill to be entitled An Act to create a county highway commission for Perry County, Alabama, and to define the powers and duties thereof."

Be it enacted by the Legislature of Alabama as follows:

Section 1. That a County Highway Commission for Perry County, to consist of a Chairman from the county seat and four other members who shall be free-holders and residents in said county and one of each shall be from each of the Commissioners Districts of said county, is hereby created and established. Said Commissioners shall hold office until the 1st day of March, 1931, and until his or their successors are appointed and qualified. That the Governor shall appoint the members of said commission. All vacancies occurring in said commission shall be filled by the appointment of the Governor from the Commissioners District where said vacancy occurs. That no person holding an elective public office shall be eligible to appointment as a member of said Highway Commission.

Section 2. The members of the Highway Commission shall receive no compensation for their services, but shall be paid all their actual expenses necessarily incurred in the prosecution of their duties. They shall be paid by the County Treasurer out of the road and bridge fund of the county upon warrants out of the road and bridge fund of the county upon warrants issued by the Chairman of the County Highway Commission.

Section 3. The County Highway Commission is vested with the general superintendence of the public roads within Perry County, and may establish new and change and discontinue old roads, and shall improve and maintain the public roads, bridges and ferries of said county so as to render travel over same as safe and convenient as practicable. To this end they are given legislative, judicial and executive power. They may establish, promulgate and enforce new rules, regulations and laws, not inconsistent with this Act, which are necessary to make, improve and maintain a good system of public roads, bridges and ferries in said county and regulate the use thereof.

Section 4. The said County Highway Commission is hereby given all the authority and power given to Courts of County Commissioners with reference to public roads, bridges and ferries by Chapter 135 of the Code of Alabama of 1907.

Section 5. With the consent of the Court of County Commissioners the County Highway Commission may hire out to contractors for work on the public roads all county convicts. Nothing herein contained shall be con-

strued as depriving the Court of Commissioners of Supervision of the convicts hired on the public roads, but court shall have and exercise such supervision and shall be charged with the same duties as to such convicts as now provided by law, and shall prescribe the forms of contracts and bonds to be made and given for the hire of convicts on said roads.

Section 6. The Chairman of the Commission shall keep or cause to be kept full and accurate minutes of the meetings, and of all things done at such meetings of the County Highway Commission, in a well bound record book, to be paid for out of the road and bridge fund, which shall be one of the public records of the county. The County Highway Commission shall also have warrants which warrants shall have stubs to be left in the warrant book. For all expenditures on account of the road and bridge fund, the chairman of the Commission shall draw warrants which shall state the name of the person in whose favor the warrant is drawn, and the amount thereof, and the account for which it is drawn, and the stub shall contain a like statement. When presented to the County Treasurer such warrants shall be paid by him out of the road and bridge fund. When not being actually used by the Commission such books of warrants shall be in the custody of the Probate Judge. The Commission shall make a sworn detailed statement, at least once every six months of all warrants drawn on the road and bridge fund, to whom and for what account paid, which statement shall be filed in the office of the Probate Judge and be open to public inspection. Reasonable compensation may be paid for clerical help for keeping the minutes of the meetings and for other clerical work which this Act requires the Chairman of the Commission to do.

Section 7. If an appeal is taken under Section 5776 of the Code, then the County Highway Commission, upon the deposit into court for the party whose land is sought to be condemned, of the amount of the damages and compensation so assessed together with the cost of the proceeding, shall be entitled to enter upon the land so condemned, and survey and use the same, provided, however, that the easements shall not vest absolutely until final determination of the cause, and the payment of deposit into court of such damages and compensation as shall then be adjudged.

Section 8. The members of the Commission shall, before entering upon the duties of the office, take an oath to be administered by the Probate Judge, to faithfully perform the duties of their office.

Section 9. The said County Highway Commission shall be vested with all the power, authority and duties now conferred by law upon the Court of County Commissioners with reference to every matter relating in any way to the construction, maintenance, improvement and repair of roads, bridges and ferries, including the right to order elections for the issuance of bonds, and the power and right to sell and issue any bonds that have heretofore been authorized as required by laws, but which have not been sold and issued.

Section 10. That all laws in conflict with this Act, local, general and special in so far as they pertain to Perry County, Alabama, be and the same are hereby repealed.

PROPOSED AMENDMENT TO ABOVE BILL

In Substance as Follows: That said Highway Commission shall expend annually in each of said Commissioners Districts one-fourth of the money appropriated for the road and bridge fund in said county.

State of Alabama,

Perry County.

Before me, Cora Fields, a Notary Public in and for said State and county personally appeared A. L. Pope, known to me to be the Managing Editor of the Marion Times-Standard, a newspaper published weekly at Marion,

Perry County, Ala., who after being duly sworn deposes and says that the attached notice of a Local Bill was published in said paper for four consecutive issues in the issues of February 3rd, 10th, 17th, and 24th, 1927.

A. L. Pope,
Managing Editor.

Sworn to and subscribed before me this 26th day of July, 1927.

Cora Fields.

By Mr. Graves (With Notice and Proof) :

H. 975. To extend the boundary lines of the City of Alexander City, Alabama, and to describe the area included in such extension of boundary lines and within such City.

Local Legislation.

Notice and Proof H. 975.

NOTICE

Of the intention to introduce in the Legislature of Alabama and have enacted as a local law a bill to extend the boundary lines of the city of Alexander City, Alabama.

Notice is hereby given, as provided by Section 106 of the Constitution of 1901, that a bill will be introduced into the Legislature of Alabama during the regular 1927 session of such Legislature, and that the intention to apply for the enactment of such law is hereby given, and such bill shall be substantially as follows, to-wit:

A BILL TO BE ENTITLED

AN ACT

To Extend the Boundary Lines of the City of Alexander City, Alabama, and to Describe the Area included in Such Extension of Boundary lines and Within Such City.

Be it enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Alexander City, in the County of Tallapoosa, State of Alabama, be extended so that the City of Alexander City shall include in its corporate limits the territory described as follows, to-wit:

The Northwest quarter of the Southwest quarter of Section Twenty-eight, Township Twenty-three North, Range Twenty-one East.

All that part of the Southwest quarter of the Southwest quarter of Section Twenty-eight, Township Twenty-three North, Range Twenty-one East lying North or East of the South or West boundary line of the Central of Georgia Railroad right-of-way.

All that part of the South half of the Northeast quarter of the Southeast quarter of Section Twenty-nine, Township Twenty-three North, Range Twenty-one East lying North or East of the South or West boundary line of the Central of Georgia Railroad right-of-way.

All that part of the Southeast quarter of the Southeast quarter of Section Twenty-nine, Township Twenty-three North, Range Twenty-one East lying North or East of the South or West boundary line of the Central of Georgia Railroad right-of-way.

All that part of the Northwest quarter of the Northwest quarter of Section Thirty-three, Township Twenty-three North, Range Twenty-one East lying North or East of the South or West boundary line of the Central of Georgia Railroad right-of-way.

The West half of Section three, Township Twenty-two North, Range Twenty-one East.

The West half of the Southeast quarter of Section three, Township Twenty-two North, Range Twenty-one East.

The Northeast quarter of the Southeast quarter of Section three, Township Twenty-two North, Range Twenty-one East.

All that part of the Northeast quarter of Section Three, Township Twenty-two North, Range Twenty-one East that lies South or West of the North or East boundary line of State Highway Number One.

The Northwest quarter of the Southwest quarter of Section Two, Township Twenty-two North, Range Twenty-one East.

The following described tract of land lying in the Southwest quarter of the Northwest quarter of Section Two, Township Twenty-two North, Range Twenty-one East; Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section Two, Township Twenty-two North, Range Twenty-one East, from which run North Five Hundred Forty (540) feet to a corner, from which run West Eight Hundred Eighty Nine (889) feet to a corner on the North or East side of right-of-way of State Highway Number One, from which in a Northwesterly direction along the North or East side of State Highway Number One right-of-way to the West side of Section Two to a corner, from which run South to the quarter Section corner on the West side of Section Two, from which run East to starting corner.

The following described tract of land lying in the Southwest corner of the Southeast quarter of Section Thirty-four, Township Twenty-three North, Range Twenty-one East: Beginning at the Southwest corner of the Southeast quarter of Section Thirty-four, Township Twenty-three North, Range Twenty-one East, from which run North to the North side of State Highway Number One right-of-way to a corner, from which run in a Southeasterly direction along the North side of the said State Highway Number One right-of-way to where the same intersects the North side of Section Three, Township Twenty-two North, Range Twenty-one East, from which run West to beginning corner.

Section 2. This said Act shall take effect from its passage and approval by the Governor.

State of Alabama,
Tallapoosa County.

Before me, J. L. Willis, a Notary Public in and for said County and State, personally appeared E. C. Hall, Publisher of The Alexander City Outlook, a newspaper published once a week in Alexander City, Alabama, who on oath deposes and says:

The Bill entitled: "An Act to Extend the Boundary Lines of the City of Alexander City, Alabama, and Describe Area Included in Such Extension of Boundary Lines and Within Such City", and that the attached clipping is a true and correct copy and appeared once a week for four consecutive weeks, to-wit: July 7th, 14th, 21st and 28th, 1927.

E. C. Hall, Publisher.

Sworn and subscribed to before me this the 28th day of July, 1927.

J. L. Willis,
Notary Public.

(Seal)

My commission expires July 28, 1929.

By Mr. Hawkins:

H. 976. To provide for a credit and deduction of the amount paid, by those liable therefor, as a license or privilege tax, levied and required to be paid under subdivisions 2 E and 2F of Sec-

tion 2 of an act entitled An Act in reference to and to further provide for the General Revenue of the State of Alabama, approved July 22, 1927, upon the advalorem taxes assessed and levied on their coal and/or iron ore bearing lands or real property and on the improvements thereon, and equipment, machinery, and personal property used in mining coal and/or iron ore; and to prescribe the manner of making said credits and deductions and when the same shall be made.

Ways and Means.

By Mr. Goodwyn:

H. 977. To amend Section 5645 of the Code of Alabama of 1923.

Judiciary.

By Mr. Miller of Sumter:

H. 978. Authorizing, directing and requiring the exclusive use and employment of citizens of the United States and of honorably discharged soldiers, sailors and marines, including those of the War between the States, and convicts of the State of Alabama to require the exclusive use of materials of the growth, production or manufacture of the United States in the construction, maintenance and repair of public buildings, highways, bridges, other structures and public works, constructed, maintained or repaired by or under the authority of the State of Alabama, and to require that cement used therein shall be furnished and contained in cotton bags manufactured in the United States.

Public Roads and Highways.

By Mr. Sanderson:

H. 979. To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Revision of Laws.

By Mr. Ward of Tuscaloosa:

H. 980. To amend Section 2199 of the Code of Alabama.

Revision of Laws.

By Mr. Webb:

H. 981. To abolish the Board of Managers of the State Training School for girls; to create a Board of Trustees in lieu thereof; to provide for their appointment and fix their terms of office.

Eleemosynary Institutions.

By Mr. Webb:

H. 982. To repeal Section 2999, Code of Alabama 1923.
Eleemosynary Institutions.

By Mr. Baldwin (By request):

H. 983. To repeal Section 8336 of the Code of 1923.
Insurance and Insurance Companies.

By Mr. Norman:

H. 984. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

Ways and Means.

BILLS ON SECOND READING

Mr. Ward of Geneva, Chairman of the Standing Committee on Corporations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With amendment):

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 7003, 7006, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7097, 7098, 7100, 7103, 7104, 7105, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7210, 7214, 7215, 7216, 7218, and 7219 of the Code of 1923.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 955. To repeal an Act, entitled "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security, in Jefferson, Morgan, Walker and Etowah Counties," approved March 9, 1901, (Acts 1900-1901, pages 2685 to 2688). in so far as the same relates to or affects any and all counties in this State having a popula-

tion of forty-five thousand or less according to the last preceding or any subsequent official and published federal census.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 667. To amend Section 6771 of the Code of Alabama of 1923.

S. 376. To authorize Mobile County in this State, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said County, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile County to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile County to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election, and regulating the sale of such bonds and the use of the proceeds of such sale, and repealing all acts in conflict with this act.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

(With amendment):

H. 962. For the relief of persons suffering damage caused by the breaking of the State's Dam at Speigner, Alabama.

H. 318 (with amendment). To make appropriations to the State Board of Education for the further support, maintenance and development of public education in Alabama, through agencies, services and institutions under its general or direct control or subject to its rules and regulations; to make appropriations to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama, for further support, maintenance and development; and to prescribe conditions of apportionment and expenditure of these appropriations.

The above and foregoing bills were severally read a second time and placed on the Calendar.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 796.

H. 854.

The above and foregoing bills were severally read a second time and placed on the Adverse Calendar.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Long, Chairman of the Standing Committee on Rules returned to the House with a favorable report, the following Resolutions:

H. R. 122. Making the following bills, in the order named, special paramount and continuing orders for the 39th Legislative Day: H. 476, 490, 495, 483, 497, 530, 142, 485, 486, 492, 494, 143, 479, 496, 139, 623, S. 125, H. 197, 365, 478, 480, 481, 488, 493, 511, 513, 502, 698, 527, 504, 510, 505, 522, S. 42, S. 112, H. 807, 909, 595.

And the Resolution was adopted.

H. R. 125. Making S. 264 Special Order.

And the Resolution was adopted.

H. R. 133. Making H. B. 748 special order.

And the Resolution was adopted.

H. R. 129. Making H. B. 725 special order.

And the resolution was adopted.

H. R. 124. Making H. B. 810 special order.

And the Resolution was adopted.

H. R. 121. Making S. B. 259 237, 260 and 256 special orders.

And the Resolution was adopted.

H. R. 120. Making H. B. 862 Special order.

And the Resolution was adopted.

H. R. 123. Making House Bills 879 and 822 special orders.

And the Resolution was adopted.

BILLS ON THIRD READING

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

Was taken. Mr. Goodwyn offered the following amendment to the Bill H. 922.

Amend House Bill 922 by striking out in Section one all thereof after the words and figures "Section 32" in the 46th line of said section and inserting in lieu thereof the following:

1320 feet; thence west and parallel to the south line of Section 32 to the west line of Section 32; thence north 1320 feet to the quarter section post on the east side of Section 31; thence west along the half section line running east and west through section 31, Township 17, Range 18, to the West line of section 31, said point being on the continuation of North Court Street; thence continuing west along the half section line running east and west through Sections 36 and 35, township 17, Range 17, to the water's edge on the east side of the Alabama River; thence down the Alabama River, along the waters' edge thereof, to the

point of beginning; all of the above described territory being in Montgomery County, Alabama.

And the amendment offered by Mr. Goodwyn was adopted.
Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Kirkpatrick	Pitts
Adcock	Frey	Lee	Ringer
Allen	Golson	Lovelace	Rivers
Ashcraft	Goode	Luck	St. John
Baldwin	Goodwyn	Martin	Sanders (Conecuh)
Beebe	Green	Matthews	Sanders (Pike)
Brunson	Grove	Merrill	Sanderson
Bryant	Guy	Miller (Marengo)	Shivers
Burns	Harwood	Miller (Sumter)	Simpson
Byars	Hawkins	Monk	Tompkins
Cannon	Hollis	Morrow	Tunstall
Carter	Howard	Mullen	Vickers
Christian	Hubbard	Nipper	Ward (Tuscaloosa)
Cockrell	Hughes	Norman	Webb
Cook	Jones (Cleburne)	Parish	Weldon
Deloney	Jordan (Etowah)	Patterson	Winn
Denson			

—65

And the Bill:

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

As amended.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Martin	Sanders (Pike)
Allen	Grove	Merrill	Sanderson
Anderson	Gullatt	Molette	Shivers
Baldwin	Hightower	Moxley	Smith
Bartlett	Howard	Mullen	Starnes
Beebe	Hubbard	Nipper	Stewart (Bibb)
Brunson	Jeter	Owens	Stewart (Calhoun)
Burleson	Johnson	Patterson	Tompkins
Carter	Jones (Bullock)	Pitts	Tunstall
Darden	Jones (Cleburne)	Poole	Waddell
Deloney	Jordan (Etowah)	Rankin	Ward (Geneva)
Edmundson	Jordan (Washington)	Reeder	Ward (Tuscaloosa)
Edwards	Langdon	Rogers (Elmore)	Ware
Frey	Lee	Rogers (Mobile)	Webb
Goode	Luck	St. John	Weldor
Goodwyn	McAdory	Sanders (Conecuh)	Winn
Graves			

—65

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

Was taken up.

Mr. Goodwyn offered the amendment to the bill H. 923.

Amend House Bill 923 by striking out of section one all thereof after the words and figures "Section 32" in the 45th line of said section and inserting in lieu thereof the words and figures as follows:

1320 feet; thence west and parallel to the south line of section 32 to the west line of section 32; thence north 1320 feet to the quarter section post on the east side of Section 31; thence west along the half section line running east and west through section 31, township 17, range 18, to the west line of section 31, said point being on the continuation of North Court Street; thence continuing west along the half section line running east and west through sections 36 and 35, township 17, range 17, to the water's edge on the east side of the Alabama River; thence down the Alabama River, along the water's edge thereof, to the point of beginning, all of the above described territory being in Montgomery County, Alabama.

And the amendment offered by Mr. Goodwyn was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Martin	Rivers
Adcock	Goodwyn	Matthews	Sanderson
Anderson	Graves	Merrill	Shivers
Baldwin	Guy	Miller (Marengo)	Simpson
Beebe	Harwood	Miller (Sumter)	Smith
Brunson	Hawkins	Molette	Starnes
Bryant	Hightower	Nipper	Stephens
Burleson	Jeter	Norman	Thompson
Carter	Johnson	Parish	Tompkins
Christian	Jones (Bullock)	Patterson	Tunstall
Cockrell	Jordan (Washington)	Poole	Vickers
Deloney	Kirkpatrick	Powell	Waddell
Denson	Langdon	Quillin	Ward (Geneva)
Desear	Lawler	Rankin	Ward (Tuscaloosa)
Edmundson	Lovelace	Reeder	Weldon
Edwards	Luck	Ringer	Winn
Golson			

—65

And the bill:

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lovelace	Reeder
Adcock	Goodwyn	Luck	Ringer
Allen	Green	Martin	Rivers
Ashcraft	Gullatt	Merrill	Rogers (Mobile)
Bartlett	Guy	Miller (Marengo)	St. John
Brunson	Hampton	Miller (Sumter)	Sanders (Conecuh)
Burns	Hawkins	Monk	Sanders (Pike)
Byars	Hubbard	Morrow	Sanderson
Carter	Hughes	Mullen	Shepherd
Christian	Jeter	Nipper	Shivers
Cook	Johnson	Patterson	Simpson
Darden	Jones (Bullock)	Pegues	Smith
Deloney	Jones (Cleburne)	Poole	Starnes
Desear	Jordan (Washington)	Powell	Stephens
Edmundson	Kirkpatrick	Quillin	Thompson
Edwards	Lawler	Rankin	Tompkins
Frey			

—85

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate Members and to abolish the Commissioners Court of Etowah County.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Kirkpatrick	Reeder
Adcock	Graves	Lawler	Ringer
Anderson	Green	Lovelace	Rivers
Baldwin	Grove	Luck	Rogers (Mobile)
Beebe	Guy	Molette	St. John
Brunson	Hampton	Monk	Sanders (Conecuh)
Bryant	Harwood	Morrow	Sanders (Pike)
Burleson	Hawkins	Moxley	Shivers
Burns	Hightower	Nipper	Smith
Byars	Hollis	Owens	Stewart (Calhoun)
Cannon	Howard	Parish	Thompson
Cook	Hughes	Pegues	Tunstall
Darden	Jeter	Pitts	Waddell
Deloney	Johnson	Poole	Wallace
Denson	Jordan (Etowah)	Quillin	Ware
Desear	Jordan (Washington)	Rankin	Weldon
Golson			

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REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 681. To amend Section 1936 of the Code of 1923.

Also:

H. 266. To prohibit the probate judges of this State from receiving for record any map or plat on which lands lying within the corporate limits or police jurisdiction of any city having a population of more than one hundred thousand inhabitants according to the last or any succeeding Federal census are mapped or platted as streets, alleys or other public ways unless such map or plat has noted thereon the approval of the City Engineer of such city.

Also:

H. 403. To define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations and societies, and to provide penalties for violation of this act.

Also:

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

Also:

H. 57. To further regulate the tendering, signing and approving bills of exceptions where the trial judge has resigned, his term of office has expired or has been removed from office.

Also:

H. 583. To amend Section 5001 of the Code of 1923

Also:

H. 637. To further prescribe the times of elections and terms of office of the county commissioners of Randolph County, Alabama.

Also:

H. 538. To authorize the issuance of contingent endowment contracts of insurance by life insurance companies and fraternal benefit societies; and to provide for the maintenance of reserves thereon.

Also:

H. 552. To authorize and empower the Commissioners' Court of Coosa County, Alabama, to donate, contribute or appropriate any of the public funds of said county, not otherwise designated, to the public schools of the county for building, rebuilding, repairing, painting, enlarging, or seating purposes as the condition of the county treasury or finances may permit in their judgment from time to time.

Also:

H. 85. To amend an Act "To authorize the Court of County Commissioners, the Board of Revenue and Road Commissioners, or like body, in each County in the State to provide telephones for the offices of clerks and registers of the circuit court, the

office of the sheriff, the office of the jailer, and the judge of probate of their respective counties," Approved September 25, 1919.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

BILL INDEFINITELY POSTPONED

On motion of Mr. Merrill the Bill:

S. 158. To repeal an act entitled an act "To establish the office of Road Supervisor in and for the County of Calhoun; to prescribe his qualifications and duties; to fix his salary and to provide for the method of his election or appointment." approved August 30, 1923.

Was indefinitely postponed.

WITHDRAWAL OF BILL

Mr. Johnson asked for unanimous consent to withdraw H. 709. Unanimous consent was granted and the Bill H. 709 was withdrawn from the House.

BILL ON THIRD READING

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Allen	Cook	Graves	Hawkins
Ashcraft	Darden	Green	Hightower
Baldwin	Deloney	Grove	Hollis
Beebe	Denson	Gullatt	Howard
Burns	Desear	Guy	Howell
Byars	Edmundson	Hampton	Hughes
Cockrell	Edwards	Harwood	Jeter

Lovelace	Mullen	Powell	Vickers
Luck	Nipper	Quillin	Waddell
McAdory	Norman	Rankin	Wallace
Martin	Owens	Reeder	Ward (Geneva)
Merrill	Parish	Ringer	Ward (Tuscaloosa)
Miller (Marengo)	Patterson	Rivers	Ware
Miller (Sumter)	Pegues	Rogers (Elmore)	Webb
Molette	Pitts	Stewart (Calhoun)	Weldon
Morrow	Poole	Thompson	Winn
Moxley			

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 281. To provide in Lauderdale County, Alabama, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

S. 369. To amend an Act entitled "An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison County now existing in said county, and abolishing said board of revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, woco-pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide for the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners, approved September 20th, 1923 by amending Sections 7 and 8.

S. 340. To fix the salary of judges of probate in all counties in this State which now have, or which may hereafter have a

population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said judges of probate and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such judges of probate, and to provide for an election clerk to be appointed by said judges of probate, who shall also be ex-officio clerk of the board of registrars in said counties, define his duties and fix his compensation; and to require all of said judges of probate to pay into the county treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said judges of probate as other moneys belonging to said counties are paid.

S. 284. To amend Section 6 of an Act entitled "An Act to establish a board of revenue for Lowndes County, and to define the powers and duties of said board of revenue," approved March 7, 1876.

S. 254. To provide for the election of a county superintendent of education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

S. 285. To amend Section 1 of an Act, entitled "An Act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of eight hundred dollars out of the general funds of the county, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bill and ordered same sent forthwith to the House without engrossment:

By Mr. Holmes:

S. 362. A bill to be entitled An Act to provide for the formation of Districts for the building and maintaining of public roads in Baldwin County, Alabama, by the County Commissioners, Board of Revenue, or Body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, lessees for a term of twenty years or longer to be considered as owners; for the giving of notice of said application and the hearing and passing on same by said Board of County Commissioners, or like body, as ex-officio members thereof, and providing for their duties in connection with the plans specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission; for the payment by the county of the preliminary expense of organization, including advertisement, and assessors for first assessment; for the appointment of a Board of Assessors by said County Commissioners to assess against the lands in said district the amount to be collected for the construction of the road or roads and other expenses not in excess of the improved value of said land by reason of special benefits derived from said improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation; To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment, That at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain on the petition, it must make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seal; that the order of the Board estab-

lishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements; for the naming of the district, and that it shall become a body politic and corporate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district; for the taking of oath of office by the Board of Commissioners for the organization of the Board, election of its officers and that they shall receive expenses while engaged on business for the district out of the county. Said amount to be paid out of the funds of the Road Improvement District. They are also authorized to engage the necessary attorneys engineers, and other agents for carrying out the improvements, contemplated, and fix their pay; that as soon as the Commissioners have formulated the plans for the road or roads of the district, and ascertained the cost thereof they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district; for time of meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal, if necessary by the Board of County Commissioners, and pay to be fixed by the same body of not exceeding \$5.00 per day; for assessment book, manner of assessing, and maximum amount, not exceeding benefits as aforesaid; for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said court; that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal; appeal by aggrieved party on filing affidavit within ten days; for the embracing of other land in the district, if benefited, and proceeding for the inclusion and assessment, which are similar to those for including land in the district as originally formed authorizing the Commissioners to make changes in plans and specifications for the route of the road or construction of laterals, or extensions within, or beyond the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a

newspaper, calling on the land owners to appear and show cause if they can, why such changes should not be made, which Court can approve said report from which finding appeal can be taken or provided in Section 14; that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be taken as provided in Section 14; authorizing the commissioners, not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished; that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the district, enter upon its record and order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten percent added for unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual instalments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus compel the court to comply with this section; that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer; that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collections to be paid over by him to the treasurer of said county, or depository. Also provides for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should

assessor fail to enter the assessment on tax book. Such penalty to be \$100.00 in each case; Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners which shall state amount and purpose for which it is issued, and be numbered consecutively in a book to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hands sufficient funds to pay all outstanding warrants bearing a low number, and no contract or warrant shall be made payable in anything but money; that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution; for the levy of additional assessments when necessary the total amount not to exceed amount of special benefits before stated; for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in re and it is immaterial if the ownership of the land is not correctly stated, but it shall have no force, except as against the land. Provides for giving of notice by publication, form of notice and complaint; for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost; provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year; authorizing the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement.

No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds; giving the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and extend therefor such sums of money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenue raised under this Act, by allowing to said district an equitable portion of the road funds available in the county. If a majority of land owners, or acreage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said purpose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the Court for a hearing of said petition and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petition shall be determined in like manner, and if the court finds that the assessment of benefits in force at the time is unequal, or that it should be equalized or adjusted, the Court shall order a re-assessment of benefits which shall be made, advertised and confirmed in the manner specified in Section nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time, authorizing the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts as may be awarded them, with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in

such contract. The amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five percent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor if to the best interest of the District, may purchase material and implements necessary to carry on the work of improvement, employ agents to do it, under the direction of the State Highway, or some other competent engineer, that the Board of Commissioners shall cause the assessments to be made, levied, and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and as assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the overdue interest and then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decrees and deeds therein shall have the same presumption in favor of their legality, and when all such sums have been paid, the receiver shall be discharged and affairs conducted by the Board of Commissioners; that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie for one month and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be reexamined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed, and filed as a public document; that the Commissioners or assessors shall not be liable to any one for mistakes, errors, or judgment or negligence, but only for wilful misconduct in the discharge of their duties; making it a felony punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners or any other agent or employe, to corruptly use, or dispose of any bond or money derived from the sale thereof, or any fund of such dis-

trict, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required; that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed in the laying out of roads hereunder; that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights of way for railways, telegraphs, and telephone companies, with the right of paying into the court a sum to be fixed by the court and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages such actions shall be consolidated, if practicable, and one jury shall assess the damages for all; that no appeal shall delay the proceedings for carrying out the improvements and it shall not affect the particular land involved, and if unsuccessful the party appealing shall pay the costs; that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special or adjourned term make any and all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law; that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any in-

junction otherwise issued shall be void; that the word Court as herein used unless otherwise specified in that connection, shall be taken to mean the Court of County Commissioners or Board of Revenue and Road Commissioners, or such body by whatever name called supplying the place of the court of county commissioner. The word commissioners refers to district commissioners, unless otherwise indicated; that bonds and coupons issued under and by authority of this Act shall be exempt from all State, county, or municipal taxation, or assessment, direct, or indirect, general or special, whether imposed for purposes of general revenue or otherwise, and the interest thereon shall not be subject to taxation as for income, nor shall said bonds and coupons be subject to taxation when constituting a part of the surplus of any bond, trust company, or other corporation, but when constituting a part of such surplus, shall be deducted from the total assets in order to ascertain the taxable value of such shares. No municipality to be included in district except after election favoring same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO LEGISLATURE FOR
PASSAGE OF BILL.

Notice is hereby given of intention to apply to Legislature of Alabama for the passage of a bill, in substance as follows:

An act to provide for the formation of districts for the building and maintaining of public roads in Baldwin County, Alabama, under the provisions of article twenty-one, of the constitution of Alabama as proposed in an act of the Legislature, Acts of 1923, pages 592, 593 and 594, by the County Commissioners, Board of Revenue, or body having same powers and duties by whatever name called, upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, accompanied by bond to pay court costs and legal advertising that may accrue in the event said district is not established, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district; for the giving of notice of said application and the hearing and passing on same by said board; for the appointing by said board of commissioners for said road district and providing for their duties in connection with the plans, specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission for the issuance of notes or bonds for the payment of the expense in connection with such district, for the appointment of a Board of Assessors by said County Commissioners to assess against the lands in said district the amount to be collected for the construction of

the road or roads and other expenses not in excess of the improvement of the value of said land by reason of special benefits derived from such improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation. To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment.

Section one provides (A), for the filing of a petition with the Court of County Commissioners, Board of Revenue, or body having same powers and duties, by whatever name called, of Baldwin County, by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, accompanied by a plat, showing boundaries thereof, and bond to pay court costs, and legal advertising in connection therewith, whereupon said Board shall give notice of the filing of said petition by advertisement for three weeks in some newspaper published in the County, for all land holders in the district to show cause, if any, why the petition should not be granted. (B) That said Board or ten land owners in the proposed district may make application to the State highway commission and it shall direct its engineer, or assistant to prepare preliminary surveys, plans, specifications, and estimates of the proposed roads, and file same with said Board that it may determine the feasibility and cost of the project, before petitions are circulated, and thereafter upon application of either of said parties, shall cause to be prepared the petition to be circulated among the land owners in the proposed district, which when signed and filed shall be heard after notice as above provided.

Section two provides that at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain in the petition, and the Board thinks it is to the best interest of the county and land owners to establish a district, it may make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seals.

Section three provides that the order of the Board establishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district, may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements.

Section four, provides for the naming of the district, and that it shall become a body politic and corporate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district. The said Board shall at the same time appoint three owners of the real property in the district, of business ability, to act as commissioners for the district, whose term of office shall be four years, and their successors shall be appointed in like manner, and they may be removed at pleasure.

Section five provides for the taking of oath of office by the Board of Commissioners, and if they fail to do so within thirty days, shall be considered as having declined to serve.

Section six provides for the organization of the Board, election of its officers and that they shall not receive compensation of exceeding \$5.00 aday, while engaged in attending Board meetings, and also receive expenses while engaged on business for the district out of the county. Said

amount to be paid out of the funds of the Road Improvement District, and fixed by the Board appointing them. They are also authorized to engage the necessary attorneys, engineers and other agents for carrying out the improvements contemplated, and fix their pay.

Section seven provides that should the Commissioners not deem it advisable to employ some other engineer, or have the County build the road, they shall call on the State Highway engineer to prepare preliminary plans, specifications and estimates after filing of bond by engineer and adoption of a report by engineer, in whole, or in part if deemed of advantage, making a report to the Court of County Commissioners. Only such roads as are public roads to be included in the improvement.

Section eight authorizes the Board to borrow money for expenses, issuing notes therefor at a rate of interest not exceeding six per cent.

Section nine provides that as soon as the Commissioners have formulated the plans for the district, and ascertained the cost thereof, they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district.

Section ten provides for time or meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal if necessary by the Board of County Commissioners, and pay to be fixed by the same body not exceeding \$5.00 per day.

Section eleven provides for assessment book, manner of assessing, and maximum amount, not exceeding benefits as aforesaid.

Section 12, provides for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion.

Section thirteen, provides for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said Court.

Section fourteen, provides that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal. Provides for appeal by aggrieved party on filing affidavit within ten days. The Commissioners are also allowed the right of appeal.

Section fifteen provides for the embracing of other land in the district, if benefited, and proceedings for the inclusion and assessment, which are similar to those for including land in the district as originally formed.

Section sixteen, authorizes the Commissioners to make changes in plans and specifications for the route of the road, or construction of laterals, or extensions within, or beyond, the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a newspaper calling on the land owners to appear and show cause if they can, why such changes should not be made, which Court can approve said report, from which finding appeal can be taken as provided in Section 14.

Section seventeen, provides that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be taken as provided in Section 14.

Section eighteen, authorizes the Commissioners not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished.

Section nineteen, provides that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the dis-

trict, enter upon its record an order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten per cent added for unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual installments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus compel the court to comply with this section.

Section twenty, provides that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer.

Section twenty-one, provides that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collection to be paid over by him to the treasurer of said county, or depository. Also provides for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should assessor fail to enter the assessment on tax book. Such penalty shall be \$100.00 in each case.

Section twenty-two, provides that the depository shall be allowed a commission of not exceeding one-half of one percent, to be fixed by the Board of Commissioners, upon all sums lawfully paid out of the money collected on said assessments, but not upon the proceeds of the sale of bonds. Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners, which shall state amount and purpose for which it is issued, and be numbered consecutively in a book, to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hands sufficient funds to pay all outstanding warrants bearing a lower number, and no contract warrant shall be made payable in anything but money.

Section twenty-three provides that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution.

Section twenty-four, provides for the levy of additional assessments when necessary, the total amount not to exceed amount of special benefits as before stated.

Section twenty-five provides for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in rem and it is immaterial if the ownership of the land is not correctly stated, but it shall have no

force, except as against the land. Provides for giving of notice by publication, form or notice and complaint.

Section twenty-six, provides for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost.

Section twenty-seven contains further provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality, or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year.

Section twenty-eight authorizes the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, with proper provisions for a sinking fund, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds.

Section twenty-nine, gives the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and expend therefor such sums of money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenues raised under this Act by allowing to said district an equitable portion of the road funds available in the county. If a majority of land owners, or arceage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said purpose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the court for a hearing of said petition, and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petition shall be determined in like manner, and if the court finds that the assessment of benefits in force at the time is unequal, or that it should be equalized or adjusted, the Court shall order a re-assessment of benefits, which shall be made, advertised and confirmed in the manner specified in Sections nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time.

Section thirty authorizes the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars, and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts, as may be awarded them,

with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in such contract. The amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five per cent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor until the labor and material has been paid for, or if they deem it best, they may, upon proper notice to the contractor, pay out to the laborers, and material men, such funds as are on hand to the credit of the contractor. All amounts so held by the district for the payment of such claims, will be regarded as trust funds. Any attempt by any one to prevent full and free competition in bidding shall be deemed a contempt of court and if any person loan, give, or offer to loan or give, directly or indirectly, any money, or other thing of value to any member of the court, clerk, commissioners, engineer, contractor, bidder, or any other person, or person in the employ of any of said persons, for the purpose of preventing full, free and unrestricted competition in the bidding, or awarding of any contract for work, for the sale or purchase of bonds, or securing employment in any position in connection with said district, such person shall be guilty of a felony, punishable for not less than one, nor more than five years.

Section thirty-one, provides that the Board of Commissioners, may, if deemed to the best interest of the District, purchase material and implements necessary to carry on the work of improvement, employ agents to do it under the direction of the State highway, or some other competent engineer.

Section thirty-two provides that the Board of Commissioners shall cause the assessments to be made, levied and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and an assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the over due interest and then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decree and deeds therein shall have the same presumption in favor of their legality, and when all such sums have been paid, the receiver shall be discharged and affairs conducted by the Board of Commissioners.

Section thirty-three provides that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie over for one month, and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be re-examined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed and filed as a public document.

Section thirty-four, the Commissioners, or assessors shall not be liable to any one for mistakes, errors of judgment or negligence, but only for wilful misconduct, in the discharge of their duties.

Section thirty-five, makes it a felony, punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners, or any other agent, or employee, to corruptly use, or dispose of any bond or money derived from the sale thereof or any fund of such district, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required.

Section thirtysix, provides that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed by the laying out of roads hereunder.

Section thirty-seven provides that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights-of-way for railways, telegraphs and telephone companies with the right of paying into the court a sum to be fixed by the court, and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages, such actions shall be consolidated, if practicable, and one jury shall assess the damages for all.

Section thirty-eight provides that no appeal shall delay the proceedings for carrying out the improvements and it shall only affect the particular land involved, and if unsuccessful the party appealing shall pay the costs.

Section thirty-nine, provides that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special, or adjourned term make any and all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law.

Section forty provides that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any injunction otherwise issued shall be void.

Section forty-one, That the word Court as herein used unless otherwise specified in that connection shall be taken to mean the Court of County Commissioners or Board of Revenue and Road Commissioners, or such body, by whatever name called supplying the place of the court of county commissioners. The word commissioners refers to district commissioners, unless otherwise indicated.

The State of Alabama, }
 Baldwin County. }

Before me, a Notary Public in and for said County in said State, personally appeared E. B. Gaston, personally known to me and who being by me first duly sworn deposes and says that he is the editor of the Fairhope Courier, a newspaper published weekly in Fairhope, Alabama, and that the attached notice of publication of intention to apply to the Legislature of Alabama to pass a local Act providing for formation of road districts in Baldwin County, Alabama, was published four times in said Fairhope Courier, to-wit: June 2nd, June 9th, June 16th and June 23rd, 1927.

E. B. Gaston.

Subscribed and sworn to before me this 11th day of July, 1927.

(SEAL)

John G. Saxe,
 Notary Public, Baldwin County, Alabama.

J. E. Speight,
 Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing Message from the Senate was read one time and referred to an appropriate standing committee as follows:

Local Legislation, S. 362.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint resolution and sends same herewith to the House:

By Mr. Craft:

S. J. R. 64. Whereas, water transportation by reason of the great stimulus imparted in recent years to the vast river system in the forty-eight states in the Union,

And whereas, the necessity for it has become imperative, and will continue, for many years to come, will cause the people of the country to demand that the development of the water-courses shall be pushed with all vigor, in order to meet all the requirements of commerce.

And Whereas the development of hydroelectric power has imparted to the matter of making all the rivers navigable throughout the length of the years as they come and go, giving to the proposition an element of strength that is irresistible,

And whereas, the interconnection of watercourses and open bodies of water such as lakes, bays, gulfs, and the oceans with each other by the cutting of canals, wherever necessary, thus giving a system of water transportation which in length of travel will surpass many times over the combined length of all the railroads on the North American continent, as this includes both domestic and foreign trade,

And whereas, the differentials in freight rates as between water and rail, will in a brief flight of years pay the whole cost of the Grand project herein outlined.

And whereas, the maintenance of the whole system of water transportation when once completed, will require moderate expenditure annually, about one-fiftieth part of what it takes for the same length to maintain the railway system of the country.

And whereas, the Congress of the United States, on January 21, 1927, in the Rivers and Harbors Act, authorized the survey of the route for barge Line transportation from the Cumberland Sound to the Mississippi River at New Orleans.

And Whereas, the existence of navigable streams and large inland bays and lakes will greatly facilitate and lessen the cost of this project,

And whereas, the project as a whole is of a three-fold nature, that is to say, a canal connecting Mobile Bay with Pensacola Bay; connecting New Orleans with Apalachicola, Florida, and the Columbus, Georgia waterway; and canal connecting Cumberland Sound with the Mississippi River through the Industrial Canal, already in use at New Orleans.

And whereas, the Cumberland Sound Route for barge line transportation, will pursue the following route, that is to say: It will begin at Cumberland Sound, and proceed thence via the St. Mary's River in Georgia and Florida; thence through the Okefenokee Swamp in Georgia, and thence via the Sewanee River in Florida and St. George's Sound, a Government Canal, now connecting the Apalachicola River with St. Andrews' Bay, Choctawhatchee Bay, Santa Rosa Sound, Pensacola Bay, and Big Lagoon, in Florida; Perdido Bay and Mobile Bay, in Alabama; through the Mississippi Sound, Lake Ponchartrain, and the Industrial Canal, Louisiana, connecting finally with the Mississippi River, at New Orleans,

And whereas, these three projects are under seaprate authorization for survey and examination,

And whereas, the route from Mobile Bay to the Cumberland Sound on the east will provide a barge line route to Baltimore New York, and other Atlantic points, while the Columbus, Georgia route, will be very beneficial to a large territory, the Pensacola to Mobile Project will develop large tonnage for the seaport at Mobile by reason of the fact, that both Mobile and New Orleans, are already in constant and intimate connection with the great inland water-system of the United States, the former, Mobile, being 31 miles from, and the latter, New Orleans, being 132 miles from the Gulf of Mexico, with Mobile Bay intervening between Mobile and the Gulf.

Therefore, be it resolved by the Senate, the House concurring, That the State of Alabama, through its Legislature, in ses-

sion assembled, heartily endorses and favors the project hereinabove set forth,

Be it Further Resolved, That it is the sense of the legislature of Alabama, by the joint action of the two houses, thereof that the three projects above set forth, being in reality in Intercoastal or Inland Canal, for Barge Line transportation should be of such depth and width where necessary for canalizing to be done, which will be but infinitesimal part of the route as to such depth and width, sufficient to accommodate all traffic passing thereby.

Be it further Resolved, That the project being of such immense value to the commerce of the whole country, as to deserve, and should have the unqualified support of all the states,

Be it further Resolved, That the Legislature of Alabama puts itself on record as unqualifiedly endorsing and commending the tripartite project hereinabove outlined.

Be it Further Resolved, That the Governor of the State of Alabama, is hereby requested to transmit copies of this resolution to the President of the United States; to the members of the Senate and House of Representatives, from the State of Alabama; to the Chairman of the Rivers and Harbors Committees in both houses of Congress; to the Federal Power Commission; and to the heads of the Various Departments of the National Government,

Be it Further Resolved, that five hundred copies of this resolution be printed for the use of the Legislature

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 64 set out in the above and foregoing Message from the Senate was read one time and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and find same correctly engrossed, to-wit:

By Mr. Jeter:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said

State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a Commissioner of Conservation of Game, Fish and Seafood, and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of Conservation of Game, Fish and Seafood, and the Commissioner of Conservation of Game, Fish and Seafood; to provide for all officers, agents and employees in, under or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of wild life and seafood resources of the state or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish, and species of seafood, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the

repeal of all laws or parts of laws in conflict with the provisions of this Act.

R. C. Wallace,
Chairman.

The report of the committee was concurred in and adopted.

BILL ON THIRD READING

S. 168. To provide for and establish in each and all counties of this State which now have a population of two hundred thousand people, or more, according to the last Federal census, or which shall hereafter have such population, or more, according to any such census hereafter taken, a court to be designated the Juvenile and Domestic Relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said court to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and all wards and probationers of such Domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations courts and Courts of Domestic Relations in such counties.

Was read a third time at length and passed.

Yeas, 64; Nays, 8.

Yeas:

Messrs.:

Adcock	Denson	Hightower	Kirkpatrick
Baldwin	Edwards	Howard	Langdon
Bartlett	Golson	Hubbard	Lee
Bryant	Goode	Hughes	Lovelace
Burleson	Goodwyn	Jeter	Luck
Burns	Graves	Johnson	Martin
Carter	Gullatt	Jones (Cleburne)	Matthews
Darden	Harwood	Jordan (Etowah)	Merrill
Deloney	Hawkins	Jordan (Washington)	Miller (Marengo)

Miller (Sumter)	Patterson	Ringer	Stephens
Monk	Pegues	Rivers	Stewart (Calhoun)
Moxley	Pitts	Rogers (Elmore)	Wallace
Mullen	Poole	Sanders (Pike)	Ward (Tuscaloosa)
Nipper	Quillin	Sanderson	Webb
Owens	Rankin	Shivers	Weldon
Parish	Reeder	Smith	Winn

—64

<i>Nays:</i>			
Messrs:			
Cannon	Cockrell	Frey	McAdory
Christian	Cook	Hollis	Simpson

—8

S. 54. (With amendment): To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their services, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Public Roads and Highways. Said amendment being as follows:

Amendments S. 54:

To amend S. 54, Section 4 as follows: By adding to Section 4 just after the words "Motor Carrier shall apply for such certificates of convenience and necessity" and just before the words "in addition to such other rules" and insert the following: "Nothing in this Act shall be so construed so as to prevent any person or persons to operate over the public roads of this State, after said person or persons have filed the proper application, presented the required bond, and paid the required fees, and complied with the regulations as to fare, service, schedule as provided herein.

To amend S. 54, by striking from the title or caption thereof the words "franchise and license" wherever they appear in said title or caption.

To amend S. 54, Section 4, by striking therefrom the entire section, and substitute therefor the following:

Section 4. After three months from the going into effect of this Act, no motor carrier shall operate for the transportation of persons, or property for hire between fixed termini or over a regular route upon any public highway in this State without first obtaining from the Commission under the provisions of this

Act, a certificate to the effect that public convenience and necessity require such operation; but

"A certificate may be granted when it appears to the satisfaction of the Commission that such person was actually operating on January 1, 1927, over the route for which such certificate is sought, in good faith and in a manner deemed by the Commission beneficial to the public and adequate as to service, rates and the protection of the public; provided the applicant must comply with the provisions of this Act. Any such rights or certificate held, owned or obtained by a motor carrier may be sold, assigned, leased, transferred or inherited as other property, and the privileges thereunder exercised, only upon authorization by the Commission."

"The Commission shall have power, after hearing, to issue said certificate as prayed for; or, for good cause shown, to refuse to issue same, or to issue it for the partial exercise only of said privilege sought."

"Motor carriers must operate and furnish service in conformity with the current existing terms and provisions of their respective certificate of convenience and necessity. Such certificate shall be void unless the applicant to whom it is granted begins operations thereunder within three months from the date the certificate is issued. The Commission may adopt rules prescribing the manner and form in which motor carriers shall apply for such certificates of convenience and necessity. In addition to such other rules as may be adopted by the Commission, said application must be in writing and sworn to, and must show the following:

"(a) The name and address of the applicant and full information concerning the financial condition and property of the applicant.

"(b) The entire route over which the applicant desires to operate and the kind of transportation, whether passenger or freight, or both, in which the applicant proposes to engage, together with a brief description of each vehicle which the applicant intends to use, including the seating capacity, if for passenger traffic, or the tonnage capacity, if for freight traffic.

"(c) Proposed time schedule.

"(d) A statement showing the passenger fares or freight rates to be charged between the several points or localities to be served."

To amend S. 54, Section 5, by striking from the section the following words: "begins operations under" just after the words "Motor Carrier" and just before the words "such certificate" and insert in lieu thereof the following words: "shall obtain."

To amend S. 54, Section 7, by striking therefrom the last eight words of this section "except as may otherwise be provided by law."

To amend S. 54, Section 8, by adding just after the words, "of their duties hereunder," the following: "with and by the approval of the Governor. All money paid out under the provisions of this section shall be paid out of the Motor Carrier fund on warrants drawn by the State Auditor on the State Treasurer and approved by the Governor. Provided that the Alabama Public Service Commission shall have no authority, or power to expend any amount exceeding seven thousand, five hundred (\$7,500.00) dollars per annum, in the operation of the provisions of this act; which amount shall include all salaries and all expense of whatever nature as applied thereto. Whenever the amount accruing to the Motor Carrier Fund, as provided by section 7 of this Act or by any other fee provided by law, shall equal seven thousand; five hundred (\$7,500.00) dollars, per annum, the credits to the Motor Carrier Fund shall cease, and all amounts received as provided in section 7 of this Act and any and all other amounts as may have been otherwise provided by law, shall then and thereafter during said year be credited to the maintenance fund of the State Highway Department, anything to the contrary notwithstanding.

To amend S. 54, Section 9, by adding the following words to this section: "provided that said expenditures shall not exceed seven thousand, five hundred (\$7,500.00) dollars, per annum."

To amend S. 54, Section 10, sub section 8, by adding the following words: "when not subject to section 13 of this Act."

To amend S. 54, Section 10, sub section (d) by adding the following words thereto: "except nothing in sub division (c) and (d) shall be construed to prevent a return load of farm supplies to be hauled provided no charge is made therefor."

To amend S. 54, Section 11, by striking therefrom the entire section 11, and substitute therefor the following:

If any motor vehicle shall be operated over any public highway of this State in such manner as to come into competition with any motor carrier operating under a certificate issued by the commission, if such motor vehicle is operated between fixed termini or over a regular route, even though there may be periodic or irregular departure from such termini or route, the commission may investigate the operation of such motor vehicle, and if, upon notice, hearing and investigation, the commission finds that such motor vehicle is being operated in competition with any such motor carrier, the commission may order the operator of any such motor vehicle to cease and desist from such operation, or the commission may require the operator of such motor vehicle to apply for and obtain a certificate of convenience and necessity hereunder before such motor vehicle shall be allowed to continue such operation. Any certificate of convenience and necessity issued to the operator of such motor vehicle shall be

subject to all the terms and provisions of this Act, and the operator thereof shall thereafter be deemed a motor carrier and subject to the provision of this Act.

To amend S. 54, Section 12, as follows by inserting the word "tax" just after the word "the" and before the word "commission."

To amend S. 54, Section 33, by striking therefrom beginning after the word "State" the following words: "in the same manner as other expenses of the commission are audited and paid" and insert in lieu thereof the following: "out of the Motor Carrier Fund and subject to the provision of Section 7, of this Act."

To amend S. 54, Section 35, sub division a, by adding the following words thereto: "except as otherwise provided by law."

Amend S. 54, as follows: Amend Section 47 thereof so as to cause the same to be and read as follows:

Section 47. For the extra, new and additional duties imposed upon the Alabama Public Service Commission and the members thereof by this Act, and for the performance of the duties which are and will be hereafter required of said Commission and the members thereof hereunder, each member of the Commission shall receive an additional One Thousand Dollars annually, to be paid monthly as the salaries of other officers are paid, only out of monies in the State Treasury to the credit of the said Motor Carrier Fund, as herein provided for in section 7 of this Act.

To amend substitute for S. 54, Section 49, by striking therefrom beginning after the words "Highways of the State" the following: "If the matters included in this section are not regulated by statute nor by any rules or regulations of the State Highway Commission, the said Public Service Commission may prescribe such reasonable rules and regulations as in its judgment may be necessary," and insert in lieu thereof the following:

And all such other regulations as provided by law. The Alabama Public Service Commission shall forward, forthwith, all applications for certificates to operate upon the public highway by any motor carriers to the State Highway Commission, who shall have concurrent jurisdiction in all matters as provided in this section, and no certificate for the operating of motor carriers shall be issued until approved by the proper officer of the State Highway Commission.

And the amendment reported by the Standing Committee on Public Roads and Highways was adopted. Yeas, 65; Nays, 4.

Yeas:

Messrs:

Adcock

Allen

Anderson

Ashcraft

Bartlett

Beebe

Brunson

Bryant

Burleson

Burns

Carter

Cockrell

Cook	Hubbard	Miller (Sumter)	St. John
Denson	Jeter	Molette	Sanders (Conecuh)
Desear	Johnson	Monk	Sanderson
Edwards	Jones (Bullock)	Mullen	Shivers
Frey	Jones (Cleburne)	Nipper	Thompson
Golson	Jordan (Etowah)	Owens	Tompkins
Goods	Jordan (Washington)	Parish	Tunstall
Goodwyn	Lawler	Pegues	Vickers
Green	Luck	Pitts	Waddell
Grove	Martin	Poole	Wallace
Hampton	Matthews	Ringer	Ware
Harwood	Merrill	Rogers (Elmore)	Webb
Hawkins	Miller (Marengo)	Rogers (Mobile)	Winn
Hightower			

—65

Nays:

Messrs:

Mr. Speaker	Cannon	Hollis	Reeder
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—4

Mr. Goodwyn offered the following amendment to the bill, S. 54:

Amend S. 54 by striking section 9 therefrom and inserting in lieu thereof the following:

Section 9. The expenses incurred under the provisions of this Act, when certified by the Commission or its president and approved by the Governor shall be paid on warrant drawn by the proper officer in pursuance hereof out of monies heretofore appropriated for the expenses of the Commission and provided for in Section 9619 of the Code of Alabama.

Amend Section 7 of Senate Bill 54 by striking the last sentence thereof and inserting in lieu thereof the following: "All amounts collected hereunder shall be paid by the Commission into the State Treasury within thirty days after their receipt and shall be placed to the credit of the State Highway Department."

And the amendment offered by Mr. Goodwyn was adopted.

Yeas, 61; Nays, 1.

Yeas:

Messrs:

Adcock	Goodwyn	Lee	Owens
Allen	Grove	Lovelace	Parish
Ashcraft	Harwood	Luck	Pegues
Beebe	Hightower	Martin	Pitts
Brunson	Howard	Matthews	Poole
Bryant	Hubbard	Merrill	Ringer
Burns	Hughes	Miller (Marengo)	Rogers (Elmore)
Cannon	Jeter	Miller (Sumter)	Rogers (Mobile)
Cockrell	Johnson	Molette	St. John
Cook	Jordan (Washington)	Monk	Sanders (Pike)
Denson	Kirkpatrick	Moxley	Sanderson
Edwards	Langdon	Mullen	Shivers
Frey	Lawler	Nipper	Simpson

Stephens
Thompson
Tompkins

Vickers
Waddell

Wallace
Ware

Weldon
Winn

—61

Nays:—Mr. Hollis.—1.

And the bill,

S. 54. Providing for the regulation, supervision, and control of persons, firms, corporations, and associations, owning, controlling, operating, or managing motor vehicles used in the business of transporting persons, or property for compensation on the improved public highways of the State which are or may hereafter be declared to be parts of the State Highway System, or any of the County Highways, and prescribing and imposing license fees and providing for the disposition of the revenue raised by the same.

As amended, was read a third time at length and passed.

Yeas, 61; Nays, 11.

Yeas:

Messrs:

Adcock	Green	Lovelace	St. John
Allen	Grove	Matthews	Sanders (Conecuh)
Anderson	Harwood	Merrill	Sanderson
Ashcraft	Hawkins	Miller (Marengo)	Shivers
Bartlett	Hightower	Miller (Sumter)	Smith
Beebe	Howard	Molette	Stewart (Calhoun)
Bryant	Hubbard	Monk	Tompkins
Burleson	Hughes	Nipper	Tunstall
Carter	Jeter	Owens	Wallace
Cockrell	Johnson	Pegues	Ward (Geneva)
Denson	Jones (Bullock)	Pitts	Ward (Tuscaloosa)
Edwards	Jones (Cleburne)	Poole	Ware
Frey	Jordan (Washington)	Reeder	Webb
Goode	Lawler	Ringer	Weldon
Goodwyn	Lee	Rogers (Mobile)	Winn
Graves			

—61

Nays:

Messrs.:

Mr. Speaker	Christian	Hollis	Rankin
Burns	Cook	Mullen	Sanders (Pike)
Cannon	Desear	Quillin	

—11

H. 419. To amend Sections 5, 10, 13, 16, and 22 of an act entitled, "An Act relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses and trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama. Approved September 13, 1923.

Was taken up. Mr. Poole offered the following substitute for the bill, H. 419:

Substitute to H. 419, by Mr. Poole:

A BILL

To be entitled an Act, relating to and to further provide for the revenue of the State of Alabama, by providing for the registration and identification of motor vehicles, and trailers used on the public highways of Alabama and for the registration and license fee therefor, and to further provide for the revenue of the State of Alabama.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. Trailer: "Every vehicle without motive power designed for carrying property, only, wholly, or partially on its own structure and being drawn by a motor vehicle, shall pay a license tax of fifty per cent (50%), of the cost of the license tax of the motor vehicle by which it is drawn. Trailer or trailers, for hauling passengers are prohibited by law.

Section 2. Jitney Bus: A motor vehicle not operated on tracks engaged in the business of carrying passengers for hire over, along, and upon a definite and substantially fixed route or routes, the length of which is under fifteen miles, or between definite and substantially fixed terminal points, and the distance between said fixed points is under fifteen miles; not including hotel or sightseeing busses. Provided, that this section shall not be construed to apply to motor vehicles or motor busses, engaged in hauling passengers for hire with or without a franchise, in cities or towns where street railways are not operating, or may have ceased to operate street cars by order of the Alabama Public Service Commission, or a like body. All such motor vehicles or motor busses, within the meaning of this clause, shall conform to the provision of section three of this Act.

Section 3. Motor vehicles: (a) for each automobile, motor car, or motor bus, used for transporting passengers, paying fare or charges except a jitney bus, shall pay the following named amounts for license tax: Seating capacity of 5 persons or less, \$37.50; Seating capacity of more than 5 and not exceeding 10, \$50.00; Seating capacity of more than 10 and not exceeding 15, \$75.00; Seating capacity of more than 15 and not exceeding 20, \$100.00; Seating capacity of more than 20 and not exceeding 40, \$150.00. (b) Each automobile, motor car, or motor bus, except a jitney bus, used for the transportation of passengers, paying fare or charges, shall pay in addition to the above tag license, 3% of the gross income on all intrastate business transacted in this State, and upon the proportionate parts thereof, when all the regular route as indicated is not within the State. The payment of the 3% of the gross income on all business shall be

made regularly and on proper form as provided by the Tax Commission, on January 1st, April 1st, July 1st, and October 1st, for the quarter or part thereof just preceding. The Tax Commission is hereby authorized to proceed against any delinquents as prescribed by law. All amounts collected under subdivision (b) of this section shall be credited to the maintenance fund of the highway department after the cost of administration of the Tax Commission has been deducted therefrom. (c) If any person, firm or corporation, hauling passengers, for hire shall fail to make the proper return as required after the close of the quarterly period as provided by this Act, and fail to pay the tax as prescribed in subdivision (c) of this section, the tax shall be deemed delinquent within the meaning of this Act and there shall be added a penalty of twenty-five per cent of the amount of the tax. If in the opinion of the Tax Commission a good and sufficient reason is shown for such delinquency the Tax Commission may remit the penalty, otherwise the penalty shall be paid.

The Tax Commission shall be authorized and empowered to make return for the delinquent tax payer upon such information as it may reasonably obtain, and add thereto the penalty as provided in this section of this Act.

The Tax Commission shall, as soon as it is practicable and before the fifteenth day of the month succeeding the ending of each quarter as provided in this Act, certify to the State Auditor, and the State Treasurer the names of all persons liable to pay the tax herein provided, together with the post office address and the amount of the tax and if any such taxes shall not have been paid, the Chairman of the State Tax Commission shall issue executions for the collection of such taxes direct to any sheriff of the State, who shall proceed to collect the same in the manner now prescribed by law for the collection of delinquent taxes by county tax collectors and make return of such executions to the State Tax Commission. The taxes and all penalties here provided for shall be held as a debt payable to the State by the person against whom the same shall be charged, and all such taxes, penalties, and assessments shall be a lien upon all property in this State of the party charged therewith.

Section 4. "Motor Trucks." For each motor truck operated upon the public highways the following license tax shall be charged. The license tax is based upon the load that each truck shall haul, and it shall be unlawful and constitute a misdemeanor, and upon conviction, punishable as provided by law, for any person, firm or corporation to operate any motor vehicle upon the public highways, the load upon the vehicle being in excess of the weight allowed as prescribed by the license tag attached to the vehicle.

Trucks carrying a load not exceeding 1800 pounds.....	\$ 15.00
Trucks carrying a load not exceeding 2500 pounds.....	22.50
Trucks carrying a load not exceeding 4000 pounds.....	37.75
Trucks carrying a load not exceeding 5000 pounds.....	45.00
Trucks carrying a load not exceeding 6000 pounds.....	56.25
Trucks carrying a load not exceeding 7000 pounds.....	75.00
Trucks carrying a load not exceeding 8000 pounds.....	150.00
Trucks carrying a load not exceeding 9000 pounds.....	250.00
Trucks carrying a load not exceeding 10000 pounds.....	400.00
Trucks carrying a load not exceeding 11000 pounds.....	500.00
Trucks carrying a load not exceeding 12000 pounds.....	600.00

Provided however, that no person, firm, or corporation shall move or cause to be moved, any vehicle, the aggregate weight of which (combined weight of truck and load), shall exceed twenty-two thousand pounds, except by permission of the State Highway Department, as provided by law, and a violation hereof shall constitute a misdemeanor and upon conviction shall be punishable as provided by law.

Section 5, that all laws or parts of laws in conflict herewith are hereby repealed.

Section 6, This Act shall go into effect on October First, 1927.

Mr. St. John offered the following amendment to the substitute:

Amend substitute for H. 419 by striking therefrom Section 4 of said bill.

And on motion of Mr. Tompkins the amendment offered by Mr. St. John was laid upon the table.

Yeas, 67; Nays, 19.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	McAdory	Rivers
Adcock	Green	Martin	Rogers (Elmore)
Allen	Grove	Matthews	Rogers (Mobile)
Bartlett	Gullatt	Merrill	Shivers
Beebe	Guy	Miller (Marengo)	Smith
Bryant	Hampton	Miller (Sumter)	Stewart (Bibb)
Burleson	Hawkins	Molette	Stewart (Calhoun)
Burns	Howard	Monk	Thompson
Carter	Hubbard	Moxley	Tompkins
Cook	Jeter	Mullen	Tunstall
Darden	Jones (Bullock)	Norman	Vickers
Denson	Jones (Clebune)	Owens	Waddell
Desear	Jordan (Etowah)	Parish	Ward (Geneva)
Edwards	Jordan (Washington)	Pitts	Ware
Frey	Kirkpatrick	Poole	Weldon
Golson	Lee	Quillin	Winn
Goode	Luck	Reeder	

Nays:

Messrs.:

Baldwin	Edmundson	Rankin	Stephens
Cannon	Harwood	St. John	Wallace
Christian	Hightower	Sanders (Conecuh)	Ward (Tuscaloosa)
Cockrell	Hollis	Sanders (Pike)	Webb
Deloney	Johnson	Simpson	

—19

Mr. Moxley offered the following amendment to the substitute:

Amend the substitute for H. 419 so as to read as follows: All busses with a carrying capacity of not less than 15 nor more than 20 shall pay a license tax of \$150.00 a year; all busses with a carrying capacity of not less than 20 nor more than 40 shall pay a tax of \$300.00 a year.

And on motion of Mr. Poole the amendment offered by Mr. Moxley was laid upon the table.

Mr. Moxley moved that the further consideration of the pending matter be postponed until the 41st Legislative Day and on motion of Mr. Poole the motion of Mr. Moxley was laid upon the table.

And the substitute offered by Mr. Poole was adopted.

Yeas, 68; Nays, 13.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Kirkpatrick	Poole
Adcock	Golson	Lawler	Quillin
Allen	Goode	Lee	Rivers
Anderson	Goodwyn	Lovelace	Rogers (Elmore)
Bartlett	Graves	Luck	Rogers (Mobile)
Beebe	Green	McAdory	Shivers
Brunson	Grove	Matthews	Simpson
Bryant	Gullatt	Miller (Marengo)	Stewart (Bibb)
Burns	Hampton	Miller (Sumter)	Stewart (Calhoun)
Byars	Hawkins	Molette	Thompson
Carter	Howard	Monk	Vickers
Cockrell	Hubbard	Mullen	Waddell
Cook	Jeter	Nipper	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Owens	Ware
Denson	Jones (Cleburne)	Parish	Webb
Desear	Jordan (Etowah)	Pegues	Weldon
Edmundson	Jordan (Washington)	Pitts	Winn

—68

Nays:

Messrs.:

Baldwin	Hightower	Johnson	Sanders (Conecuh)
Cannon	Hollis	Reeder	Sanders (Pike)
Christian	Hughes	Ringer	Stephens
Deloney			

—13

And said bill,

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12, of an Act entitled, "An Act imposing an excise tax on

persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this act, approved Feb. 10, 1923.

As amended by the substitute offered by Mr. Poole, was read a third time at length and passed.

Yeas, 68; Nays, 13.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jordan (Etowah)	Pegues
Adcock	Frey	Jordan (Washington)	Pitts
Allen	Golson	Kirkpatrick	Poole
Anderson	Goode	Lawler	Rogers (Elmore)
Bartlett	Goodwyn	Lee	Rogers (Mobile)
Beebe	Graves	Luck	Simpson
Brunson	Green	McAdory	Stewart (Bibb)
Bryant	Grove	Matthews	Stewart (Calhoun)
Burns	Gullatt	Merrill	Thompson
Byars	Guy	Miller (Marengo)	Tompkins
Carter	Hampton	Miller (Sumter)	Vickers
Cockrell	Hawkins	Molette	Waddell
Cook	Howard	Mullen	Ward (Tuscaloosa)
Darden	Hubbard	Nipper	Ware
Denson	Jeter	Norman	Webb
Desear	Jones (Bullock)	Owens	Weldon
Edmundson	Jones (Cleburne)	Parish	Winn

—68

Nays:

Messrs:

Burleson	Hightower	Powell	Sanders (Conecuh)
Cannon	Hollis	Reeder	Sanders (Pike)
Christian	Johnson	Ringer	Stephens
Deloney			

—13

H. 907. To license and to regulate the business of making loans in sums of one hundred dollars or less, secured or unsecured in all counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation thereof; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Johnson	Norman
Ashcraft	Golson	Lee	Owens
Bartlett	Goode	Lovelace	Parish
Beebe	Graves	Luck	Pegues
Brunson	Green	McAdory	Pitts
Bryant	Grove	Martin	Poole
Burleson	Gullatt	Matthews	Rankin
Burns	Guy	Merrill	Reeder
Cannon	Hawkins	Miller (Marengo)	Ringer
Carter	Hightower	Miller (Sumter)	Rivers
Christian	Hollis	Molette	Shivers
Cook	Howard	Monk	Simpson
Darden	Howell	Morrow	Smith
Deloney	Hubbard	Moxley	Starnes
Denson	Hughes	Mullen	Stephens
Edmundson	Jeter	Nipper	Weldon
Edwards			

—85

And on motion of Mr. Hawkins the bill, H. 907, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Rules Committee:

S. J. R. 70. Resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet Tuesday, August 2nd, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Tunstall the House concurred in and adopted the Senate Joint Resolution No. 70 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To The Legislature of Alabama,
Gentlemen of the House:

I am returning herewith House Bill No. 649, relative to the election of of the County Superintendent of Education for Coosa County, without my approval.

I suggest the following executive amendment which if adopted will remove my objections to the Bill.

Amend Section Five (5) so that it will read as follows:

"No person shall be eligible for political party nomination for County Superintendent of Education for Coosa County, Alabama or for election to

said office who shall not hold an Alabama certificate in administration and supervision based as a minimum upon graduation from a standard normal school or equivalent education, with at least one year of additional study of college grade and proof of three years successful teaching experience and before a candidate can qualify for nomination in the primary, he or she must make an affidavit and file the same with the Probate Judge that he or she has and possesses the qualifications herein prescribed".

The reason for this amendment is that it is highly desired that each county superintendent of education possess the qualifications required by the School Code of Alabama so as not to lower the efficiency of the supervision of the public schools of the State.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill H. 649. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Goode	McAdory	Sanderson
Adcock	Grove	Monk	Shepherd
Allen	Gullatt	Moxley	Shivers
Ashcraft	Guy	Mullen	Smith
Baldwin	Harwood	Nipper	Starnes
Bartlett	Hollis	Norman	Stephens
Brunson	Howard	Owens	Stewart (Bibb)
Bryant	Jones (Cleburne)	Parish	Stewart (Calhoun)
Burleson	Jordan (Etowah)	Patterson	Thompson
Burns	Jordan (Washington)	Pegues	Tompkins
Cockrell	Kirkpatrick	Powell	Tunstall
Cook	Langdon	Rankin	Waddell
Darden	Lawler	Rogers (Mobile)	Wallace
Deloney	Lee	St. John	Ward (Geneva)
Edmundson	Lovelace	Sanders (Conecuh)	Ward (Tuscaloosa)
Edwards	Luck	Sanders (Pike)	
Frey			

—65

Nay:—Mr. Simpson—1.

Which was a majority of the whole number elected to the House.

And said bill,

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this act are

eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

As amended by the amendment of His Excellency the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Howard	Nipper	Starnes
Adcock	Hubbard	Norman	Stephens
Anderson	Jones (Bullock)	Owens	Stewart (Bibb)
Ashcraft	Jones (Cleburne)	Parish	Stewart (Calhoun)
Beebe	Jordan (Etowah)	Patterson	Thompson
Burns	Jordan (Washington)	Pegues	Tompkins
Byars	Lawler	Pitts	Tunstall
Cannon	Lee	Poole	Vickers
Carter	Lovelace	Powell	Waddell
Christian	Martin	Quillin	Wallace
Cockrell	Merrill	Rankin	Ward (Geneva)
Darden	Molette	Reeder	Ward (Tuscaloosa)
Deloney	Monk	Ringer	Ware
Denson	Morrow	Rivers	Webb
Desear	Moxley	Rogers (Elmore)	Weldon
Goode	Mullen	Smith	Winn
Grove			

—65

Nay:—Mr. Simpson—1.

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and sends same herewith to the House:

By Mr. Fite:

S. 357. To amend Section 6779 of the Code of Alabama.

By Mr. Fite:

S. 359. To amend Section 6784 of the Code of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

Judiciary, S. 357; S. 359.

BILLS ON THIRD READING

S. 330. To repeal Section 2364 of the Code of Alabama, 1923.
 Was read a third time at length and passed.
 Yeas, 73; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Desear	Jordan (Etowah)	Quillin
Adcock	Edmundson	Jordan (Washington)	Rankin
Allen	Frey	Lee	Reeder
Anderson	Golson	McAdory	Ringer
Ashcraft	Goode	Martin	Rogers (Elmore)
Baldwin	Goodwyn	Matthews	Sanders (Pike)
Bartlett	Graves	Merrill	Sanderson
Brunson	Grove	Miller (Marengo)	Simpson
Bryant	Harwood	Miller (Sumter)	Stephens
Burleson	Hawkins	Molette	Stewart (Calhoun)
Byars	Hightower	Monk	Thompson
Cannon	Hollis	Mullen	Tunstall
Carter	Howard	Nipper	Vickers
Christian	Hubbard	Owens	Waddell
Cockrell	Hughes	Parish	Ware
Cook	Jeter	Patterson	Webb
Darden	Johnson	Pegues	Weldon
Deloney	Jones (Bullock)	Pitts	Winn
Denson			

—73

Nay:—Mr. Tompkins—1.

S. 331. To amend Section 2341 of the Code of Alabama, 1923.
 Was taken up. Mr. Winn offered the following amendment to the bill, S. 331:

Amendment to Senate Bill No. 331, line three, by adding the following: The probate judge of the county, with whom the petition was filed,

And the amendment offered by Winn was adopted.

Yeas, 68; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Denson	Hollis	Miller (Sumter)
Adcock	Desear	Howard	Monk
Allen	Edmundson	Hughes	Moxley
Ashcraft	Edwards	Jeter	Nipper
Baldwin	Frey	Johnson	Parish
Bartlett	Golson	Jones (Bullock)	Patterson
Brunson	Goode	Jones (Cleburne)	Pegues
Bryant	Goodwyn	Jordan (Washington)	Poole
Burns	Graves	Lee	Quillin
Cannon	Grove	McAdory	Reeder
Carter	Gullatt	Martin	Ringer
Christian	Harwood	Matthews	Rogers (Elmore)
Cockrell	Hawkins	Merrill	Rogers (Mobile)
Darden	Hightower	Miller (Marengo)	Sanders (Conecuh)

Sanders (Pike)	Simpson	Thompson	Ward (Tuscaloosa)
Sanderson	Stewart (Bibb)	Tunstall	Ware
Shivers	Stewart (Calhoun)	Waddell	Winn

—68

Nay:—Mr. Tompkins—1.

And the bill,

S. 331. To amend Section 2341 of the Code of Alabama, 1923.

As amended was read a third time at length and passed.

Yeas, 73; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jordan (Washington)	Ringer
Adcock	Frey	Kirkpatrick	Rogers (Mobile)
Allen	Golson	Lee	Sanders (Conecuh)
Anderson	Goode	Lovelace	Sanders (Pike)
Baldwin	Goodwyn	McAdory	Sanderson
Bartlett	Graves	Martin	Shivers
Beebe	Green	Matthews	Simpson
Brunson	Grove	Miller (Sumter)	Stewart (Bibb)
Bryant	Harwood	Monk	Stewart (Calhoun)
Burleson	Hawkins	Moxley	Thompson
Byars	Hightower	Mullen	Tompkins
Cannon	Hollis	Nipper	Tunstall
Carter	Howard	Norman	Vickers
Christian	Hughes	Parish	Waddell
Cockrell	Jeter	Patterson	Ward (Tuscaloosa)
Cook	Johnson	Pegues	Ware
Deloney	Jones (Bullock)	Quillin	Weldon
Denson	Jones (Cleburne)	Reeder	Winn
Desear			

—73

H. 773. A Bill to be entitled an Act to propose and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the Legislature to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the state of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may here-

after be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be insured by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts; and providing that the powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924; and providing that any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

"The Legislature is authorized to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one

percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the State of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts. The powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924.

Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment."

Section 2. That notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor of Alabama, which shall be pub-

lished in one newspaper once a week in each County in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Was read a third time at length and passed.

Yeas, 88; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Lawler	Quillin
Adcock	Frey	Lee	Reeder
Allen	Golson	Lovelace	Ringer
Anderson	Goode	Luck	Rivers
Baldwin	Goodwyn	McAdory	Rogers (Mobile)
Bartlett	Graves	Martin	Sanders (Conecuh)
Beebe	Green	Matthews	Sanders (Pike)
Brunson	Grove	Merrill	Sanderson
Bryant	Guy	Miller (Marengo)	Shivers
Burleson	Hampton	Miller (Sumter)	Simpson
Burns	Harwood	Molette	Stephens
Byars	Hawkins	Monk	Stewart (Calhoun)
Cannon	Hightower	Moxley	Tompkins
Carter	Hollis	Mullen	Tunstall
Christian	Howard	Nipper	Vickers
Cockrell	Hughes	Owens	Waddell
Cook	Jeter	Parish	Ward (Geneva)
Darden	Johnson	Patterson	Ward (Tuscaloosa)
Deloney	Jones (Bullock)	Pegues	Ware
Denson	Jones (Cleburne)	Pitts	Webb
Desear	Jordan (Etowah)	Poole	Weldon
Edmundson	Jordan (Washington)	Powell	Winn

—88

Which was a three-fifths vote of the whole number elected to the House.

H. 724. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next

after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$5,000.00 per year, net; allowance of \$7,500.00 per annum for office expenses as follows: one clerk, at \$2,100.00 per annum; two clerks at \$1,500.00 per annum, each; and \$2,400.00 per annum for all other expenses including extra clerks. The said \$2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$2,100.00 per year for a chief clerk in said office; \$1,200.00 for an assistant clerk in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$1,500.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$3,600.00 per year, net; allowance of \$1,800.00 per year for chief clerk in said office and \$1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year, net. The County Treasurer of said county shall receive a salary of \$2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly

as the funds accruing become adequate up to and including the sixth grade, and to incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the treasury of the State in the same manner as the expenses of other elections are paid.

Was read a third time at length and passed.

Yeas, 90; Nays, 0.

Yeas:

Messrs.:

Adcock	Edwards	Kirkpatrick	Pegues
Allen	Frey	Lawler	Pitts
Anderson	Goode	Lee	Poole
Baldwin	Goodwyn	Lovelace	Powell
Beebe	Graves	Luck	Quillin
Brunson	Green	McAdory	Rankin
Bryant	Grove	Martin	Reeder
Burleson	Guy	Matthews	Ringer
Burns	Hampton	Merrill	Rogers (Elmore)
Byars	Harwood	Miller (Marengo)	Rogers (Mobile)
Cannon	Hawkins	Miller (Sumter)	St. John
Carter	Hightower	Molette	Sanders (Conecuh)
Christian	Hollis	Monk	Sanders (Pike)
Cockrell	Howard	Moxley	Sanderson
Cook	Hubbard	Mullen	Shepherd
Darden	Hughes	Nipper	Shivers
Deloney	Jeter	Norman	Simpson
Denson	Johnson	Owens	Stephens
Desear	Jones (Bullock)	Parish	Stewart (Bibb)
Edmundson	Jordan (Washington)	Patterson	Stewart (Calhoun)

Thompson
Tompkins
Tunstall

Vickers
Waddell
Ward (Tuscaloosa)

Ware
Webb

Weldon
Winn

—90

Which was a three-fifths vote of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and **adopted** the amendment proposed by His Excellency, the Governor, to the bill:

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 22; Nays, 0.

And said bill, H. 649, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 23; Nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 11. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

Also:

H. 781. To make appropriation for the ordinary expenses of the State, and for interest on the public debt.

Also:

H. 429. To provide that in Blount County, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Also:

H. 547. To amend an Act entitled an Act to establish an Inferior Court for the County of Autauga, approved September

26th, 1923, and to further provide for the payment of witnesses in attendance upon said Court, and to further provide for the payment of the Clerk and Sheriff for services rendered in cases not pressed and in cases where the defendant is found not guilty. And to provide for distribution of the Inferior Court Funds.

Also:

H. 713. To repeal an Act entitled "An Act to provide for the election and appointment of a county superintendent of education for Marion County; Alabama, fix his or her term of office, fix the qualifications, the compensation and the successor in said office," approved on September 24, 1923.

Also:

H. 566: To authorize the Court of County Commissioners of Limestone County, Alabama, to levy a tax or privilege license on all persons selling, or keeping in storage for sale, gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles, and to provide rules, regulations and machinery for the collection thereof; and to provide penalties for the violation of such rules and regulations.

Also:

H. 557. To vacate all public roads, trails, paths, highways and passageways, into, through, over, on or across the southeast quarter ($SE\frac{1}{4}$) and the southeast quarter of the northeast quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Fourteen (14), the northeast quarter ($NE\frac{1}{4}$) and the north half of the southeast quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$) of Section twenty-three (23), the southwest quarter ($SW\frac{1}{4}$), the south half of the northwest quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$), the southwest quarter of the northeast quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) and the west half of the southeast quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$) of Section thirteen (13) and the west half ($W\frac{1}{2}$) and the west half of the east half ($W\frac{1}{2}$ of $E\frac{1}{2}$) of Section twenty-four (24), Township nineteen (19) south, Range five (5) west, Jefferson County, Alabama, except a right of way fifty feet in width through the northwest quarter of southeast quarter of Section 13: The southwest quarter of northeast quarter and west half of southeast quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines: Begin at the northeast corner of the northwest quarter of southeast quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet,

said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section. Also begin at the northeast corner of the southwest quarter of northeast quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1,146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 38 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1,372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the southwest quarter of southeast quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and

said intersection being 1,241.4 feet west of the southeast corner of said quarter-quarter section.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the resolution:

H. J. R. 45. Relative to the adjournment of the two houses until Tuesday, August 2nd, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 10:30 A. M. on July 29, 1927:

H. 583.

H. 637.

H. 538.

H. 552.

H. 85.

H. 681.

H. 266.

H. 403.

H. 573.

H. 57.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill the House, in accordance with a joint resolution heretofore adopted adjourned until Tuesday, August 2nd, 1927, at 2:30 o'clock P. M.

THIRTY-NINTH DAY.

House of Representatives,
Montgomery, Alabama,
Tuesday, Aug. 2nd, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Harrison of the city.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Green	Martin	St. John
Anderson	Grove	Matthews	Sanders (Conecuh)
Ashcraft	Gullatt	Merrill	Sanders (Pike)
Baldwin	Guy	Miller (Marengo)	Sanderson
Bartlett	Hampton	Miller (Sumter)	Shepherd
Beebe	Harwood	Molette	Shivers
Brunson	Hawkins	Monk	Simpson
Bryant	Hightower	Morrow	Smith
Burleson	Hollis	Moxley	Starnes
Burns	Howard	Mullen	Stephens
Byars	Howell	Nipper	Stewart (Bibb)
Cannon	Hubbard	Norman	Stewart (Calhoun)
Carter	Hughes	Owens	Thompson
Christian	Jeter	Parish	Tompkins
Cockrell	Johnson	Patterson	Tunstall
Cook	Jones (Bullock)	Pegues	Vickers
Darden	Jones (Clebune)	Pitts	Waddell
Deloney	Jordan (Etowah)	Poole	Wallace
Denson	Jordan (Washington)	Powell	Ward (Geneva)
Desear	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Edmundson	Langdon	Rankin	Ware
Edwards	Lawler	Reeder	Webb
Fite	Lee	Ringer	Weldon
Frey	Lovelace	Rivers	Winn
Golson			

—105

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE
JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 38th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 38th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Mr. Graves for today.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Thompson:

H. R. 153. Relative to making H. B. 825, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Geneva:

H. R. 154. Relative to making H. B. 211, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Pegues:

H. J. R. 155. Be it resolved by the House, the Senate concurring, that a Committee of five be appointed to consist of three members of the House to be appointed by the Speaker of the House, and two members of the Senate, to be appointed by the President of the Senate, which Committee shall sit in session to study the School Code as revised, and make a report to each House as soon as possible with recommendations for changes where deemed necessary.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Rankin:

H. R. 156. Relative to making H. B. 83, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Owens:

H. R. 157. Relative to making H. B. 858, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Marengo:

H. R. 158. Relative to making H. B. 759, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Fite:

H. R. 159. Relative to making H. B. 374, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 160. Relative to making H. B. 474, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Nipper:

H. R. 161. Relative to making H. B. 837, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. R. 162. Relative to making H. B. 797, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. J. R. 163. Whereas, of the nine classes of officers who served in the World War, eight classes, namely: Regular Officers of the Army, Navy, and Marine Corps; Provisional Officers of the Army, Navy and Marine Corps and Emergency Officers of the Navy and Marine Corps—have been granted by Congress the privileges of retirement for disability, when incurred in line of duty, leaving only the Disabled Emergency Officers of the Army without such retirement privileges, and,

Whereas, an overwhelming number of the members of Congress since the Armistice have promised to correct this injustice to Disabled Emergency Army Officers by the Enactment of Legislation designed to adjust the unfair condition imposed upon this one remaining class of officers.

Be it resolved, That the Legislature of Alabama in regular session convened, heartily endorse the demand for recognition of the equality of service of the other eight classes of officers and the Emergency Officers in the proposal to grant retirement privileges to the Disabled Emergency Army Officers upon the same basis and with the same privileges as have been granted to the disabled Officers of all other classes including the disabled Emergency Officers of the Navy and Marine Corps, and,

Be it further resolved, That all members of the Seventieth Congress of the United States be and they are hereby most strongly urged to lend their most active support in securing the

enactment of the so-called Tyson-Fitzgerald bill as early as possible in the new Congress, and,

Be it further resolved, That copies of this Resolution be sent to each member of the Congress of the United States from the State of Alabama.

And the Resolution was referred to the Standing Committee on Military.

By Mr. Goodwyn:

H. R. 164. Relative to making H. B. 789, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Beebe:

H. R. 165. Relative to making H. B. 843, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Hubbard:

H. R. 166. Relative to making H. B. 174, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Rogers of Mobile:

H. R. 167. Relative to making S. B. 173, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tompkins:

H. R. 168. Relative to making S. B. 204, S. B. 219 and S. B. 215, Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. R. 169. Relative to making H. B. 795, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goode:

H. R. 170. Relative to making H. B. 152, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Cockrell:

H. R. 171. Relative to making H. B. 622, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Tuscaloosa:

H. R. 172. Relative to making all bills of the Joint Recess Committee on Education, Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 173. Relative to making H. B. 494, H. 495, H. B. 502, H. B. 139, H. B. 476, H. B. 623, H. B. 365, H. B. 476, H. B. 478, H. B. 480, H. B. 481, H. B. 488, H. B. 490, H. B. 493, H. B. 496, H. B. 511, H. B. 513, H. B. 479, H. B. 483, H. B. 485, H. B. 486, H. B. 492, H. B. 497, H. B. 698, H. B. 527, H. B. 366, H. B. 504, H. B. 510, H. B. 505, H. B. 530, H. B. 522, Special Orders

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Molette:

H. R. 174. Relative to making H. B. 470, Special Order.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties, Bills were introduced, severally read one time and referred to appropriate Standing Committee, as follows:

By Mr. Beebe:

H. 985. To further provide for the establishment or discontinuance of stock law districts in this State, by vote of qualified voters in proposed district; such election to be called by County Commissioners on petition of fifteen per cent of the qualified voters in proposed district, and at the expense of the County; also to fix the liability of persons unlawfully allowing stock to run at large, and to define meaning of the word stock, and provide for impounding and sale thereof when unlawfully running at large.

Agriculture.

By Mr. Brunson (with Notice and Proof):

H. 986. To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violation of this Act.

Local Legislation.

Notice and Proof H. B. No. 986:

A BILL TO BE ENTITLED AN ACT

To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violation of this Act.

Be it enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person, firm or corporation, to use steel traps in Coffee County, Alabama, for any purposes whatsoever, except as herein expressly provided.

Section 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor, and on conviction shall be fined not less than twenty-five dollars, nor more than one hundred dollars.

Section 3. Provided, however, that any resident of this county may set a steel trap, or traps, only within the curtilage of his home.

Section 4. That all laws and parts of laws in conflict with this act be, and the same are hereby, expressly repealed.

W. M. Brunson.

AFFIDAVIT OF PUBLICATION

State of Alabama, }
Coffee County. }

Before me, W. T. Livings, Register in and for said State and County personally appeared R. C. Bryan who being duly sworn says on oath that he is the Editor and Publisher of The Elba Clipper, a newspaper published at Elba, Coffee County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated June 30th, 1927, and the last in issue dated July 21st, 1927.

R. C. Bryan.

Sworn to and subscribed before me this 2nd day of August, 1927.
(SEAL)

W. T. Livings,
Register in and for said State and County.

By Mr. Brunson (with Notice and Proof):

H. 987. To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

Local Legislation.

Notice and Proof H. 987:

A BILL TO BE ENTITLED AN ACT

To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

Be it enacted by the Legislature of Alabama:

Section 1. That there is created and established in Coffee County, Alabama, a jury commission, composed of four members and a clerk, one of said commissioners to be appointed from each of the four commissioners' districts of the county, and said commissioners and clerk to be appointed by the Governor of the State of Alabama. One commissioner shall hold office until the first Monday after the second Tuesday in January, 1928; one commissioner shall hold office until the same day in 1929; one commissioner shall hold office until the same day in 1930; and one commissioner shall hold office until the same day in 1931, and the Governor in making such appointment shall designate the terms to be held by each appointee respectively, and upon the expiration of each of these terms the Governor shall appoint successors who shall hold office for four years from the expiration of the term of office of their respective predecessor. The clerk of said Board shall be appointed to hold office until the first Monday after the second Tuesday in January, 1931, at which time his successor shall be appointed, and the term of office of said clerk after that date shall be four years.

Section 2. Said jury commission and clerk shall possess the qualifications as required in Section 8581 of the 1923 Code of Alabama, each shall take the oath of office as prescribed in Section 8583 of the same Code; their

compensation, including the clerk, shall be the same as prescribed in Section 8584 of said Code, except that the clerk may render service and receive pay for double the length of time served by the commissioners, but shall not in any one year receive more than four hundred dollars.

Section 3. Sections 8585, 8586, 8589, 8590, and 8591 of the 1923 Code of the State of Alabama shall be applicable to the jury commission hereby created, and said jury commission shall be subject to the provisions of the above numbered sections of the Code, just as the other jury commissions are under regular appointment and under the general statutes as set out in the 1923 Code of the State of Alabama.

Section 4. This act shall take effect from and after its approval.

Section 5. That all laws and parts of law in conflict with this act be, and the same are hereby, expressly repealed.

W. M. Brunson.

AFFIDAVIT OF PUBLICATION

State of Alabama, }
Coffee County. }

Before me, W. T. Livings, Register in and for said State and County personally appeared R. C. Bryan who being duly sworn says on oath that he is the Editor and Publisher of The Elba Clipper, a newspaper published at Elba, Coffee County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated June 30th, 1927, and the last in issue dated July 21st, 1927.

R. C. Bryan.

Sworn to and subscribed before me this 2nd day of August, 1927.
(SEAL)

W. T. Livings,

Register in and for said State and County.

By Mr. Sanders of Conecuh (with Notice and Proof):

H. 988. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

Local Legislation.

Notice and Proof H. 988:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, during the 1927 Session thereof, which bill is in substance as follows:

AN ACT

Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said

Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

Section 1. Be it enacted by the Legislature of Alabama, that the Clerk of the Circuit Court of said County of Conecuh is hereby empowered to take affidavits for the arrest of persons charged with the commission of crime in said County, either misdemeanor or felony, and to issue warrant for the arrest of such persons such warrants to be returned before the Judge of County Court of said County.

Section 2. Be it further enacted that when a forfeiture is obtained against the Defendant and his bail in said County Court, it shall be the duty of said Clerk of the Circuit Court to issue process upon the same.

Section 3. Be it further enacted that when the Judge of the said County Court orders attachment issued against witnesses in said County Court, it shall be the duty of the said Clerk of the Circuit Court to issue the attachment.

Section 4. Be it further enacted that the said Clerk of the Circuit Court of Conecuh County, Alabama, shall receive as compensation for his services in taking the affidavit of Complaint and issuing warrant of arrest as herein provided the sum of One Dollar (\$1.00); and said Clerk of the Circuit Court shall receive as compensation for his services in issuing all other writs and process herein provided the same compensation as he now receives in the Circuit Court.

Section 5. Be it further enacted that all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 6. Be it further enacted that this Act shall go into effect immediately upon its passage and approval by the Governor.

State of Alabama, }
Conecuh County. }

Before me, S. P. Dunn, Judge of Probate in and for said County, personally appeared R. Gaston Bozeman, who being by me first duly sworn deposes and says that he is now and has been for more than twelve months past, publisher of the Evergreen Courant, a newspaper published in Conecuh County, Alabama, and that the notice attached to the affidavit was published in said newspaper in its issues of June 30th, July 7th, July 14th, and July 21st, 1927.

R. Gaston Bozeman.

Sworn to and subscribed before me this July 29th, 1927.

(SEAL)

S. P. Dunn,
Judge of Probate.

By Mr. Cook (with Notice and Proof):

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

Local Legislation.

Notice and Proof H. 989:

NOTICE

Notice is hereby given that the following Bill will be introduced for enactment during the present session of the Legislature.

A BILL

To be entitled an Act to provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners, relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

Be it enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners shall forthwith select and designate one hundred miles of the principal public roads, other than state highways, which shall be known as the secondary highway system of Greene County, Alabama.

Section 2. The Court of County Commissioners shall each year build and construct a portion of said secondary highway system. The roads and bridges of said secondary highway system shall be of a durable character, properly located by a competent civil engineer and shall be constructed in accordance with plans and specifications prepared by such an engineer; provided, it shall be permissible to construct well graded earth roads.

Section 3. It shall be the duty of the Court of County Commissioners immediately upon the selection of the roads constituting the secondary highway system of Greene County to secure a civil engineer experienced in the preparation of plans, specifications and blueprints for the construction of public roads and bridges. It shall be the duty of such engineer to survey such portion of the highway system as the Commissioners Court directs, and shall relocate such parts of said roads where necessary and shall prepare such plans, specifications and blueprints of the roads and bridges as necessary to letting a contract for its proper construction.

Section 4. No part of said highway system shall be constructed except where a right of way of at least 30 feet has been vested in the county. All of the work shall be done under the direction and supervision of a competent civil engineer, and must be accepted and approved by him before any payment therefor is made by the county.

Section 5. Three-fourths of what is known as the gasoline fund received by Greene County by virtue of the provisions of Section 83 of the Act approved August 22, 1923 (Acts 1923, p. 197) is hereby set aside as a special fund to be used only in the construction of said secondary highway system. There shall also be available for such construction all other funds of the county now available for public road and bridge work.

Section 6. For the payment of the construction work authorized by this Act, the Court of County Commissioners shall also have authority to issue warrants bearing interest at a rate not to exceed six percent per annum payable semi-annually. The Commissioners Court shall allot from the special fund created by this Act by setting aside three-fourths of what is known as the gasoline fund, or from any other fund subject to the payment of road and bridge work, a sufficient fund each year to create a sinking fund for the prompt payment of the principal and interest of said warrants. Warrants issued by authority of this Act shall mature not later than the first day of October, 1931.

Section 7. That all work which is to be paid for out of the money set aside in Section 5 of this Act shall be let out by contract, by the Court of County Commissioners.

Section 8. That no contract shall be made except after advertisement for thirty days in some newspaper published in Greene County, and also once a week for thirty days in a daily paper published in this State of at least five thousand daily circulation, describing the character of the work to be done and the time and place of letting, and then only to the lowest

responsible bidder for such work, who shall enter into bond in an amount equal to the amount of such bid conditioned for the proper performance of such contract according to the plans and specifications and within the time prescribed by the Court for such work, which bond shall be approved by the Judge of Probate of Greene County. The Commissioners Court shall have the right to reject any or all bids.

Section 9. That no lumber shall be used in the construction of bridges or culverts on the secondary highway system of Greene County, unless such lumber has been properly creosoted.

Section 10. The Court of County Commissioners may authorize partial payments to the contractor performing any road or bridge work as the work may progress. The progress, estimates and payments shall be based upon material placed and labor expended upon the work, but not more than eighty (80%) per cent of the contract price of the progress estimates shall be paid in advance of the full completion and acceptance of the work by the civil engineer of the Court of County Commissioners.

Section 11. This law shall become effective upon the approval by the Governor.

State of Alabama, }
Greene County. }

Before me, Earle McMillan, a Notary Public in and for said County and State, personally appeared Jas. S. Coleman, editor and proprietor of the Greene County Democrat, who, being first duly sworn, deposes and says the foregoing act has been published in said Greene County Democrat once each week, for four successive weeks, to-wit: July 7, July 14, July 21, and July 28, 1927.

Jas. S. Coleman,
Editor and Proprietor.

Sworn to and subscribed before me this 30th day of July, 1927.
(SEAL)

Earle McMillan,
Notary Public in and for Greene County, Alabama.

By Mr. Simpson:

H. 990. To prohibit and make unlawful any person, firm or corporation engaged in the sale of gasoline or any other motor fuel, or any substitute therefor in intra-state commerce discriminating in favor of or against any other person, firm or corporation by giving or granting any rebate, concession, special price or gratuity to any customer or purchaser of gasoline, or any other motor fuel, or other substitute therefor, and to prohibit and make unlawful any person, firm or corporation engaged in the sale of gasoline, or any other motor fuel, or other substitute therefor, in intra-state commerce, discriminating against or in favor of any customer or purchaser of said gasoline, or any other motor fuel, or other substitute therefor, by selling same at different prices in different localities in Alabama, or to different purchasers in the same locality, except difference in price based on freight rates in different localities, and to provide for the enforcement of this Act and penalties for the violation thereof.

Public Roads and Highways.

By Mr. Simpson:

H. 991. To amend Schedule No. 79 of Section No. 361 of an Act to provide for the general revenue of the State of Alabama, approved the 15th day of September, 1919.

Ways and Means.

By Mr. Simpson:

H. 992. To amend Section 8120 of the Code of Alabama of 1923.

Judiciary.

By Mr. Hawkins:

H. 993. To amend section 15 of an act approved August 20, 1915, entitled, "To further provide for the organization, government and regulation of cities which now have or which may hereafter have a population of as much as one hundred thousand people according to the last Federal census, or any such census which may hereafter be taken, and to further provide for and define the rights, powers, duties, procedure, jurisdiction and authority of such cities and of the officers, courts, and bodies thereof, and of the State and county officers, courts, bodies, boards and funds in relation to such cities and the officers and affairs thereof, and to prescribe penalties for the violation of this act.

Municipal Organization.

By Mr. Hawkins:

H. 994. To amend Section 5 of an Act approved August 28, 1915, and entitled: "An Act to regulate and restrict the expenditures made, or contracted to be made, by each city in the State of Alabama which now has, or which may hereafter have, a population of more than one hundred thousand, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the impeachment and removal from office of each person, a member of the governing body of such city, who wilfully causes, abets or permits any unlawful expenditure to be made or contracts by such city."

Municipal Organization.

By Mr. Jeter:

H. 995. To extend the terms of all Judges of Inferior Courts created in lieu of Justices of the Peace, in counties having a population of 200,000 or more, according to the last or any subsequent Federal census, and where such Judges of Inferior Courts are elected by the Judges of the Courts of record, or a portion of such Judges of Courts of record, in such counties.

Local Legislation.

By Mr. Jeter (with Notice and Proof):

H. 996. For the relief of J. M. Tuck, as Constable of Precinct 21, Jefferson County, Alabama.

Local Legislation.

Notice and Proof H. 996:

LEGAL NOTICE

Notice is hereby given, the following bill will be introduced in the present session of the Alabama Legislature: A bill to be entitled an act for the relief of J. M. Tuck, Constable, Jefferson County, Ala.

(1) Whereas, J. M. Tuck, as Constable of Precinct 21, Jefferson County, Alabama, did in good faith and under color of his office, cite for registration dogs in Jefferson County outside of Precinct 21; and

Whereas, the said J. M. Tuck, as such Constable, did incur great expense in said work, and did render good and effective service under the law known as the Dog Law; and

Whereas, the Clerk of the Circuit Court of Jefferson County, Alabama, has collected and now holds in his hands the sum of fifty-seven dollars and fifty cents (\$57.50), which moneys came into his hands as Constable's fees earned by the said J. M. Tuck in citing dogs for registration in said county outside of Precinct 21, Jefferson County, Alabama, as aforesaid, which fees he, said J. M. Tuck as such Constable has never received; now, therefore,

Be it enacted by the Legislature of Alabama, That the Clerk of the Circuit Court of Jefferson County, Alabama, be and he hereby is authorized and directed to pay over to the said J. M. Tuck, as such Constable of Precinct 21, Jefferson County, Alabama, and for his relief, the sum of fifty-seven dollars and fifty cents (\$57.50) on account of the matters hereinbefore mentioned, immediately on approval of this act. June 25; July 2-9-16.

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn, deposes and says that the notice a true copy of which is hereto attached, was published in The Weekly Call, once a week for four consecutive weeks, commencing on June 25th, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence this 18th day of July, 1927.

Bessie Stephens,
Notary Public.

By Mr. Denson (by request):

H. 997. To provide for the sale or partition of lands in which decedent had an interest as partner: Jurisdiction declared and proceedings required to effectuate such sale or partition.

Judiciary.

By Mr. Denson (by request):

H. 998. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of hotels and factories for the spinning of threads and yarns, and the knitting and weaving of cloth and the manufacture of other fabrics and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp products, wooden cabinets and farm implements, or other manufactured products, and for the

purpose of further exempting such manufacturing plants and factories and hotels from taxation granted by any county or municipality since the 17th day of August, 1924, under the apparent authority of Sections 3023, 3024 and 3025 of the Code of 1923 and validating and making effective the same as of the date of the granting of such exemptions.

Ways and Means.

By Mr. Fite:

H. 999. To make it unlawful for any person, firm or corporation to violate any rule, regulation or law which has heretofore been adopted or promulgated or may hereafter be adopted or promulgated by the court of county commissioners, board of revenue, or like governing body of any county under the authority conferred by law relating to the use, control, care, operation or maintenance of any such public road, bridge or ferry and to prescribe punishment for such violations.

Public Roads and Highways.

By Mr. Lee:

H. 1000. To amend Section 2, Sudivision 2-H of an Act entitled "An Act in Reference to and to further provide for the General Revenue of the State of Alabama," approved July 22, 1927.

Ways and Means.

By Mr. Thompson (with Notice and Proof):

H. 1001. To create an Inferior Court to be known as the Gadsden Inferior Court, for Precincts One (1) and Twenty-six (26) of Etowah County, Alabama, which Precincts lie within or partly within the City of Gadsden, Alabama, in lieu of Justices of the Peace and Notary Publics with the power of a Justice of the Peace; to prescribe the jurisdiction, authority, power and duties of said court and the officers thereof; to provide for the transfer of cases from Justices of the Peace and Notary Publics with the power of a Justice of the Peace to the Gadsden Inferior Court; to provide rules of procedure of said court; and to provide for execution of process and operation of said court.

Local Legislation.

Notice and Proof H. 1001:

NOTICE

Notice is hereby given that there will be introduced in the present Legislature of Alabama, and sought to be enacted into a law, an act substantially as follows:

Section 1. There is hereby established an inferior court in Precincts 1 and 26 of Etowah County, Alabama, which precincts lie partly within the corporate limits of the city of Gadsden, Alabama. Said inferior court shall be known as the Gadsden Inferior Court and shall be in lieu of justices of the peace and notary publics, ex-officio justices of the peace in said precincts.

Sec. 2. The Gadsden Inferior Court shall have and exercise all authority, powers and jurisdiction as is now vested in or which may hereafter be conferred on courts of justices of the peace by general laws. The judge of said court shall have and exercise all the power and authority and perform all the duties now or which may hereafter be required by law of justices of the peace, and he shall have the same rights and privileges and the same disabilities and penalties as now apply by law to justices of the peace.

Sec. 3. Within ten days after the approval of this act, the governor shall appoint a judge of said court who shall hold office until the first Monday after the second Tuesday in January, 1929, and until his successor is elected and qualified. At the general election in 1928, and every four years thereafter, a successor to such judge shall be elected by the qualified electors of said precincts. Such judges shall hold office for a term of four years and until his successor is elected and qualified.

Sec. 4. All vacancies in the office of judge of said court shall be filled by appointment by the governor, and such appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Sec. 5. The judge of said court shall possess all qualifications which the law requires of a justice of the peace and shall be a qualified voter of and reside in one of said precincts.

Sec. 6. All provisions of the general law relating to rules of procedure, the holding of court, issuing of processes, assessment, taxing, allowance, collection and payment of costs and fees; and all laws affecting and regulating the practice and duties of justices of the peace shall be applicable to and required of the judge of the Gadsden Inferior Court.

Sec. 7. The judge of the Gadsden Inferior Court shall receive as compensation for his services the same fees and costs allowed justices of the peace, which shall be taxed and collected in each case in the same manner as in justice of the peace court.

Sec. 8. The judge of said court shall address all processes issued out of said court to any lawful officer of Etowah County, Alabama, and it shall be executed by the sheriff, one of his deputies or a constable. Fees allowed sheriffs and constables for similar service in justice of the peace courts shall be taxed and collected in each case in the Gadsden Inferior Court, and paid to such officer for their services.

Sec. 9. The same rights, laws, regulations and requirements as now govern appeals and certiorari in cases from courts of justices of the peace shall apply and govern appeals and certiorari of cases from the Gadsden Inferior Courts.

Sec. 10. Within 30 days after the approval of this act, the terms of office of all justices of the peace and notary public, ex-officio justices of the peace in precincts 1 and 26 of Etowah County, Alabama, shall expire and such offices shall then stand abolished, and the dockets, official papers and records of all kinds of the offices abolished shall be delivered to the judge of the Gadsden Inferior Court and all causes pending in said abolished courts shall stand transferred to the Gadsden Inferior Court, and all summonses, executions and other processes issued by such justices of the peace or notary public, ex-officio justices of the peace shall be returned to the Gadsden Inferior Court and the Gadsden Inferior Court may issue such executions or other processes as necessary to collect or enforce the judgment of said abolished courts.

Sec. 11. The collection of any cost in any case accrued before the transfer of such case to the Gadsden Inferior Court shall be paid to the justice of the peace, notary public, ex-officio justices of the peace, sheriff, constable or other officer entitled thereto and the docket shall be received by the person receiving such payment.

Sec. 12. In the event the judge of the Gadsden Inferior Court is for any reason disqualified from acting or is absent for any cause from the

city of Gadsden, the parties to a cause may agree in writing upon some person to try the cause, or either of the judges of the judicial circuit in which Etowah County is situated may appoint a suitable person to act as such judge in such cause or during the absence of said judge from the city of Gadsden.

Sec. 13. Before entering upon his duties as judge of the Gadsden Inferior Court, such judge shall give bond in the penal sum of \$2,000 payable to Etowah County, Alabama, and conditioned to faithfully discharge the duties of his office, which bond shall be approved by and filed in the office of the judge of probate of Etowah County, Alabama. Said bond shall also be conditioned to pay over all moneys to the proper officers and persons to whom it belongs, and to correctly account for all moneys coming into his hands by virtue of his office.

Sec. 14. The office of judge of the Gadsden Inferior Court shall be considered a county office within the meaning of the election laws and other laws of Alabama.

Sec. 15. The court of county commissioners may upon application of the judge of the Gadsden Inferior Court provide said judge with suitable office space in the court house of Etowah county for holding said court. In the event suitable quarters are not furnished in the court house of Etowah County, the judge of said Gadsden Inferior Court shall, at his own expense, maintain an office easily accessible to the public which shall be kept open during the usual hours of business for the transaction of business.

Sec. 16. The rules now applying to the recording of judgments in the justice of the peace courts and the lieus thereof, shall apply to the judgments rendered in the Gadsden Inferior Court.

State of Alabama, }
Etowah County. }

Affidavit is hereby made that the attached notice was published in The Gadsden Times for four consecutive weeks on July 9, 16, 23 and 30th, 1927.

Signed: B. H. Moore,
Publisher.

Sworn to and subscribed before me this the 30th day of July, 1927.

M. B. Woods,
Justice of the Peace.

By Mr. Goodwyn:

H. 1002. To permit Justices of the Peace and Notaries Public, who are ef-officio Justices of the Peace, residing in and exercising jurisdiction in territory annexed to any city in this State which city has a population of not less than forty thousand population and not more than fifty-five thousand according to last Federal Census and wherein is located a Court of Common Pleas or an Inferior Court with the jurisdiction of a Justice of the Peace, to continue in the exercise of the functions of their respective offices to the expiration of their present terms.

Judiciary.

By Mr. Goodwyn:

H. 1003. To continue in effect all general laws based upon population until the final adjournment of the regular session of the Legislature next after any Federal Census which reduces

below the minimum or increases above the maximum the population basis of any such general law.

Judiciary.

By Mr. Patterson (with Notice and Proof):

H. 1004. To provide for the method of nominating and electing the members of the Board of Revenue of Morgan County, Alabama, and repealing all laws in conflict with the provisions of this Act, particularly that portion of Article One of an Act to Create and Establish a Board of Revenue in and for Morgan County, Alabama, approved September 29, 1919, providing that such members must have been regularly nominated by the qualified voters of their respective districts.

Local Legislation.

Notice and Proof H. 1004:

State of Alabama, }
Morgan County. }

To Whom It May Concern:

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama which convened in adjourned session on June 7, 1927, in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the method of nominating and electing the members of the Board of Revenue of Morgan County, Alabama, and repealing all laws in conflict with the provisions of this Act, particularly that portion of Article One of an Act to Create and Establish a Board of Revenue in and for Morgan County, Alabama, approved September 29, 1919, providing that such members must have been regularly nominated by the qualified voters of their respective districts.

Section 1. Be it enacted by the Legislature of Alabama that on and after the passage and approval of this Act, the members of the Board of Revenue of Morgan County, Alabama, shall be nominated and elected by the voters of the entire County.

Section 2. Be it further enacted that all local laws providing for any different method of nominating and electing members of the Board of Revenue of Morgan County, Alabama, be and the same are hereby expressly repealed, and particularly that part of Article One of an Act to Create and Establish a Board of Revenue in and for Morgan County, Alabama, approved September 29, 1919, providing that the members of the Board of Revenue of Morgan County, Alabama, shall be regularly nominated by the qualified voters of their respective districts.

John Patterson.

State of Alabama, }
Morgan County. }

Before me, R. T. Sheppard, a Notary Public, in and for said County in said State, this day personally appeared B. C. Shelton, who being first duly sworn deposes and says that he is the principal owner and Managing Editor of the Decatur Daily, a paper of general circulation, published in the City of Decatur, (formerly Albany), County of Morgan, State of Alabama, that the above and foregoing, "Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama which convened in adjourned session on June 7, 1927, in substance as follows:" "A

Bill to be Entitled an Act to provide for the method of nominating and electing the members of the Board of Revenue of Morgan County, Alabama, and repealing all laws in conflict with the provisions of this Act, particularly that portion of Article One of an Act to Create and Establish a Board of Revenue in and for Morgan County, Alabama, approved September 29th, 1919, providing that such members must have been regularly nominated by the qualified voters of their respective districts," was published in the said Decatur Daily once a week for four consecutive weeks, namely: June 18th, June 25th, July 2nd, and July 9th, 1927, and that the above and foregoing copy of said notice and bill is an exact copy of the same as published and appeared in said four issues of said newspaper.

B. C. Shelton,

Managing Editor, Decatur Daily.

Subscribed and sworn to before me, this the 12th day of July, 1927.
(SEAL)

Robert T. Sheppard,

Notary Public, Morgan County, Alabama.

By Mr. Patterson:

H. 1005. A Bill to be entitled An Act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporation, Decatur, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporation, at elections to be held by it from time to time for such purposes and to provide for such elections.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and action at an election to be held on the second Tuesday, after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit: The municipality of Decatur, in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated thereon, based on the valuation of such property as assessed for state taxation for the tax year ending on the 30th day of September next succeeding the levy; provided, that for the purpose of paying bonds issued and outstanding

at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment and interest thereon, an additional tax of one-half of one per centum may be levied and collected by said corporation; provided further, that a majority of the qualified electors of said municipal corporation voting at an election called for that purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by said municipal corporation shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Provided, further, that the adoption of this amendment, shall in no wise, affect, limit, modify, abridge or impair the power, authority or right of said municipal corporation to levy and collect an additional special tax to be applied exclusively for the public schools, public school buildings and public improvements as now authorized by Section 216 of the Constitution of Alabama, nor affect, limit, modify, abridge, or impair the power, authority or right of said municipal Corporation to levy and collect any other special taxes, now or hereafter vested in or conferred upon it under the Constitution or any amendment thereto. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For excess rate of taxation for the year (or years)" and "Against excess rate of taxation for the year (or years)" The rate of taxation proposed in excess of the rate of one (1) per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor; and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipalities but when a proposition is submitted to the electors

to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same shall be held in one year thereafter.

Section 2. That it shall be the duty of the governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight consecutive weeks next preceding the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, together with the proposed amendment.

Section 3. That at the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as hereinafter provided for, the qualified electors shall vote upon said amendment, and on the official ballot printed for such election there shall be printed the following, viz.: "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The municipality of Decatur, in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated therein, based on the valuation of such property as assessed for state taxation for the tax year ending on the 30th day of September next succeeding the levy; provided that for the purpose of paying bonds issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment and the interest thereon, an additional tax of one-half of one per centum may be levied and collected by said corporation; provided further, that a majority of the qualified electors of said municipal corporation voting at an election called for the purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which the same was levied and collected; provided, however, that the total tax to be levied by said municipal corporation shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Provided, further, that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of said municipal corporation to levy and collect an additional special tax to be applied exclusively for the public schools, public school buildings, and public improvements as now authorized by Section 216, of the Constitution of Alabama, nor affect, limit, modify, abridge or impair the power, authority or right of said municipal corporation to levy and collect any other special taxes now or hereafter vested in or conferred upon it under the Constitution or any amendment thereto." Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested

in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For excess rate of taxation for the year (or years);" and "Against excess rate of taxation for the year (or years)". The rate of taxation proposed in excess of the rate of one per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different excess rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown, by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same purpose shall be held in one year thereafter. This amendment shall be self-executing and no act of the Legislature shall be required to put the same, or any part thereof, in force. This amendment shall not apply to counties.

Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word, "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provisions concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the

Constitution of Alabama. The result of such election shall be made known by proclamation by the governor.

Section 6. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the state treasury in the same manner as the expenses of other general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. Langdon (with Notice and Proof):

H. 1006. To provide for the payment of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

Local Legislation.

Notice and Proof H. 1006:

NOTICE

A bill will be introduced in the present session of the Legislature of Alabama requiring the payment of two cents per gallon on all gasoline, kerosene, naphtha, or other motor fuel used, sold or purchased in Pickens County, Alabama, which amount when collected shall go into the road and bridge fund of said county and used exclusively for the working and maintenance of roads and bridges in said county and for no other purpose; that every retail dealer in said county shall pay to the county treasurer of said county the sum of two cents on each and every gallon of gasoline, kerosene, naphtha or other motor oil sold by them to persons for the purpose of operating motor vehicles, or for any other purpose where motor power is used; and that each person, firm or corporation engaged in selling gasoline, kerosene, naphtha or other motor fuel to retail dealers in said county shall file with the treasurer of said county, a statement of the amount of such gasoline, kerosene, naphtha or other motor fuel sold or delivered by it or them, and the name and address of the person, firm or corporation to whom such sale was made, and providing penalties against all persons who shall fail to comply with the requirements of said law.

PROOF OF PUBLICATION

State of Alabama, }
Pickens County. }

Before me, W. S. McGee, a Notary Public for said County personally appeared Jack M. Pratt, publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for four consecutive weeks in said paper in issues dates as follows: January 13, 1927; January 20, 1927, January 27, 1927, February 3, 1927.

Subscribed and sworn to before me, this the 4th day of June, 1927.
Jack M. Pratt.
W. S. McGee,
Notary Public.

By Mr. Miller of Sumter:

H. 1007. To amend Section 4928 of the Code of Alabama.
Judiciary.

By Mr. Harwood:

H. 1008. To amend Sectionss 3023, 3024, and 3025, of the Code of Alabama.
Manufacturing.

By Mr. Matthews:

H. 1009. To amend Section 766 of the Code of 1923.
Criminal Administration.

By Mr. Frey:

H. 1010. To provide and create, under and in conjunction with the Department of Agriculture and Industries of the State of Alabama a sub-department or division thereof, to be known as the Department of Labor under the Department of Agriculture and Industries of the State of Alabama; to provide appropriation for the division or sub-department of labor, and for the expenses of the State Board of Labor, and their compensation; to provide that the Commissioner of Agriculture and Industries shall have charge, control and direction of such sub-department; to create a State Board of Labor; to provide as to its membership, duties, authorities, and otherwise, and for the appointment of such members; to provide for the selection, naming, compensation, etc, of said State Board of Labor, under the Commissioner of Agriculture and Industries; and for clerks and clerical help, and other powers, duties and authorities of the Department of Labor, and its deputies; to provide when this law shall go into effect, and to repeal all laws and parts of laws in conflict with the provisions of this act.

Labor.

By Mr. Byars (with Notice and Proof):

H. 1011. To provide for the fixing of the terms of office of the members of the Board of Revenue of Lawrence County, Alabama, for election of members of said Board of Revenue and for the repeal of all laws, general, local and special in conflict with the provisions of this Act.

Local Legislation.

Notice and Proof H. 1011:

State of Alabama, }
Lawrence County. }

Before me, W. R. Jackson, Judge of Probate, in and for said State and County, personally appeared J. D. L. Byars, who being duly sworn deposes and says, that he is the publisher of The Advertiser, a weekly newspaper published at Moulton, Alabama, and that he has published a notice in said paper for four consecutive weeks beginning with the issue of July 7th, and ending with the issue of July 28th, 1927, which notice reads, as follows: Notice of Local Legislation affecting the citizens of Lawrence

County. Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama. The substance of such bill is to further provide for the election of the Board of Revenue of Lawrence County, Alabama, by providing that two members shall be elected for six years, two members for four years and that beginning with the year 1932 two members shall be elected every two years, by providing for their nomination, fix their term of office and the term of office of their successor and provide for their election and the election of their successors and to repeal all general, special or local laws in conflict therewith in so far as they relate to Lawrence County.

This July 7th, 1927.

J. D. L. Byars,
Publisher.

Sworn to and subscribed before me this the 1st day of August, 1927.

W. R. Jackson,
Judge of Probate.

By Mr. Byars (with Notice and Proof):

H. 1012. To abolish the office of Deputy Solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws, except as herein provided for.

Local Legislation.

Notice and Proof H. 1912:

State of Alabama, }
Lawrence County. }

Before me, W. R. Jackson, Judge of Probate, in and for said State and County, personally appeared J. D. L. Byars, who being duly sworn deposes and says, that he is the publisher of The Advertiser, a weekly newspaper, published at Moulton, Ala., and that he has published a notice in said paper for four consecutive weeks, beginning with the issue of July 7th and ending with the issue of July 28th, 1927, which notice reads as follows: Notice of local legislation affecting the citizens of Lawrence County. Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama. The substance of such bill is to abolish the office of deputy solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws except as herein provided for.

J. D. L. Byars,
Publisher.

Sworn to and subscribed before me this the 1st day of August, 1927.

W. R. Jackson,
Judge of Probate.

By Mr. Byars (with Notice and Proof):

H. 1913. To create the office of County Solicitor of Lawrence County, Alabama, to provide for the election of such officer by the qualified voters of said County to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

Local Legislation.

Notice and Proof H. 1013:

State of Alabama, }
Lawrence County. }

Before me, W. R. Jackson, Judge of Probate, in and for said State and County, personally appeared J. D. L. Byars, who being duly sworn deposes and says, that he is the publisher of The Advertiser, a weekly newspaper published at Moulton, Alabama, and that he has published a notice in said paper for four consecutive weeks beginning with the issue of July 7th, and ending with the issue of July 28th, 1927, which notice reads that a bill will be introduced at the present session of the Legislature of Alabama to create the office of county solicitor of Lawrence County, Ala., to provide for the election of such officer by the qualified voters of said county to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, provide for the date of his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said County.

This July 4th, 1927.

J. D. L. Byars,
Publisher.

Sworn to and subscribed before me this the 1st day of August, 1927.

W. R. Jackson,
Judge of Probate.

By Mr. Anderson (with Notice and Proof):

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by The Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.' Whereas, heretofore The Sage Land and Improvement Company, a corporation, did give to the board of trustees of the high school located at Grove Hill, Alabama, an endowment fund of ten thousand dollars, to be invested and the interest thereon used to keep the building and grounds in repair and the equipment complete, and,

Whereas, the board of trustees of said high school located at Grove Hill, Alabama, have heretofore conveyed the lands, buildings and equipment of said high school to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend Sections 1861, 1862 and 1863 of the Code of Alabama,' and,

Whereas, the grantor of said endowment fund and said board of trustees agreed with the high school commission to turn said endowment fund over to the management and control of the

State of Alabama in connection with said lands, buildings and equipment as soon as suitable legislation could be had for the management thereof;" and to authorize the transfer of said trust fund of ten thousand dollars from the State of Alabama to the County Board of Education of Clarke County, Alabama.

Local Legislation.

Notice and Proof H. 1014:

NOTICE

Notice is hereby given that the following bill will be introduced in the present session of the Legislature:

A BILL TO BE ENTITLED AN ACT

To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by the Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Ala., to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.' Whereas, heretofore, The Sage Land and Improvement Company a corporation, did give to the board of trustees of the high school located at Grove Hill, Alabama, an endowment fund of ten thousand dollars, to be invested and the interest thereon used to keep the buildings and grounds in repair and the equipment complete, and

Whereas, the board of trustees of said high school located at Grove Hill, Alabama, have heretofore conveyed the lands, buildings and equipment of said high school to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama,' and

Whereas, the grantor of said endowment fund and said board of trustees agreed with the high school commission to turn said endowment fund over to the management and control of the State of Alabama in connection with said lands, buildings and equipment as soon as suitable legislation could be had for the management thereof;" and to authorize the transfer of said trust fund of ten thousand dollars from the State of Alabama to the County Board of Education of Clarke County, Alabama:

Be it enacted by the Legislature of Alabama:

Section 1. That the local law enacted by the Legislature of Alabama and approved August 20, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by the Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.'

Whereas, heretofore, The Sage Land and Improvement Company, a corporation, did give to the board of trustees of the high school located at Grove Hill, Alabama, an endowment fund of ten thousand dollars, to be invested and the interest thereon used to keep the building and grounds in repair and the equipment complete, and,

Whereas, the board of trustees of said high school located at Grove Hill, Alabama, have heretofore conveyed the lands, buildings and equipment of said high school to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama,' and,

Whereas, the grantor of said endowment fund and said board of trustees agreed with the high school commission to turn said endowment fund over to the management and control of the State of Alabama in connection with said lands, buildings and equipment as soon as suitable legislation could be had for the management thereof," be, and the same is hereby expressly repealed.

Section 2. That the Auditor of the State is directed to draw his warrant for the sum of ten thousand dollars, together with accrued interest unpaid thereon, in favor of the County Board of Education of Clarke County, Alabama.

Section 3. That said fund shall be received by said County Board of Education of Clarke County, Alabama, and held by it in trust, subject to such uses and trusts as are now or may hereafter be impressed upon such fund.

State of Alabama, }
Clarke County. }

Before me, John G. Adams, a Notary Public in and for said State and County, appeared G. A. Carleton, publisher of The Clarke County Democrat, a newspaper published at Grove Hill, Clarke County, Alabama, who, being sworn, states that the attached notice was published in said newspaper in its issues of July 7, 14, 21 and 28, 1927.

G. A. Carleton.

Sworn to and subscribed before me this the 1st day of August, 1927.

John E. Adams,

Notary Public, Clarke County, Ala.

By Mr. Bartlett (with Notice and Proof):

H. 1015. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama, and to provide that the members of the county commisisoner's court shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such, to define their duties and fix their compensation as such supervisors.

Local Legislation.

Notice and Proof H. 1015:

NOTICE

Notice is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at the present session, to provide: For the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama. To provide that the members of the Court

of County Commissioners shall be ex-officio supervisors of the public roads and bridges in their respective districts, and to prescribe their authority as such, to define their duties and fix their compensation, as such supervisors.

State of Alabama, }
DeKalb County. }

Before me, Lee S. Baker, a Notary Public in and for said State and County, personally appeared E. O. Davidson who being by me duly sworn, deposes and says that he is editor and publisher of The Fort Payne Journal, a newspaper published in Fort Payne, DeKalb County, Alabama, and that the above and foregoing attached notice was published in The Fort Payne Journal for four successive weeks during the month of July, 1927.

Subscribed and sworn to before me this the 30th day of July, 1927.

E. O. Davidson.
Lee S. Baker,
Notary Public.

By Mr. Bartlett (with Notice and Proof):

H. 1016. To provide that all persons who have heretofore engaged in the practice of veterinary medicine in DeKalb County, Alabama, for ten years be allowed to continue the practice of veterinary medicine and surgery in DeKalb County, Alabama, without procuring a license or permit from the State Board of Veterinary Medical Examiners of the State of Alabama.

Local Legislation.

Notice and Proof H. 1016:

NOTICE OF LOCAL LAW

Notice is hereby given that a bill will be introduced for passage at the present session of the Legislature of Alabama to provide that all persons who have heretofore engaged in the practice of veterinary medicine in DeKalb County, Alabama, for ten years be allowed to continue the practice of veterinary medicine and surgery in DeKalb County, Alabama, without procuring a license or permit from the State Board of Veterinary Medical Examiners.

State of Alabama, }
DeKalb County. }

Before me, Lee S. Baker, a Notary Public in and for said State and County, personally appeared E. O. Davidson who being by me duly sworn, deposes and says that he is editor and publisher of The Fort Payne Journal, a newspaper published in Fort Payne, DeKalb County, Alabama, and that the above and foregoing notice was published in The Fort Payne Journal for four consecutive weeks beginning in the issue of June 29, 1927.

Subscribed and sworn to before me this the 23rd day of July, 1927.

E. O. Davidson.
Lee S. Baker,
Notary Public.

BILLS ON SECOND READING

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 917. To fix the salaries and compensation of certain State officials, to provide for the appointment of assistants and employees of the State and certain State offices, departments, bureaus and commissions and to fix their salaries, and compensation effective on the first day of October, 1927.

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 839. To repeal an act approved September 18th, 1915, entitled "An Act to prescribe the notice, time and procedure for holding elections on proposed amendments to the Constitution."

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session, had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With amendment):

S. 374. A Bill to be entitled an act to propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election

by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1: The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expense of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article of the Constitution of Alabama". Section 1: The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and

property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Acts of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments reported that said Committee in session had acted on the following bills and order-

ed same returned to the House with a favorable report with substitute:

(With Substitute):

H. 812. A Bill to be entitled an Act to propose an amendment to Section 225, Article XII, of the Constitution of Alabama, so as to authorize Cities and Towns of two thousand five hundred population and over to become indebted in the same amount and for the same purposes as Cities and Towns of six thousand population and over may now become indebted as now set forth in said Section 225 of the Constitution; also to extend the purposes for which said indebtedness may be created as set forth in said Section so as to include the purchase of Real Estate upon which to construct school houses, and the construction and improvement of school houses; also to order an election by the qualified electors of the State upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature.

Be it enacted by the Legislature of Alabama:

Section One. The following amendment to Section 225 of the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of Alabama for their consideration as is hereinafter set forth. Section 225, Article XII of the Constitution be amended so as to read as follows:

Section 225. No City, Town, or other municipal corporation, having a population of less than Two Thousand Five Hundred, except as hereafter provided, shall become indebted in an amount, including present indebtedness, exceeding five per centum of the assessed value of the property therein, except for the construction of or purchase of water works, gas or electric lighting plants, or sewerage, or for the improvement of streets, or for the purchase of Real Estate upon which to construct school houses, or for the construction and improvement of school houses, for which purposes an additional indebtedness not exceeding three per centum may be created; provided, this limitation shall not affect any debt now authorized by law to be created, nor any temporary loans to be paid within one year, made in anticipation of the collection of taxes, not exceeding one-fourth of the annual revenues of such City or Town. All Towns and Cities having a population of Two Thousand Five Hundred, or more are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding seven per centum of the assessed valuation of the property therein; provided that there shall not be included in the limitation of the indebtedness of such last described Cities and Towns the following classes of indebtedness, to-wit: Temporary loans to be paid within one

year, made in anticipation of the collection of taxes, and not exceeding one-fourth of the general revenue; bonds or other obligations already issued, or which may hereafter be issued for the purpose of acquiring, providing, improving or constructing school houses, water works and sewers; and obligations incurred and bonds issued for street or side-walk improvements, (a) where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided that the proceeds of all obligations issued as herein provided, in excess of said seven per centum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of existing indebtedness. This Section shall not apply to the Cities of Sheffield and Tuscumbia.

Section Two. An election by the qualified electors of the State upon said proposed amendment is hereby ordered to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this said amendment is proposed. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each County in the State for at least eight consecutive weeks next preceding the day hereby appointed for such election.

Section Three. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall Section 225, Article XII of the Constitution of the State of Alabama be amended so as to read as follows:"

Section 225. No City, Town, or other municipal corporation, having a population of less than Two Thousand, five hundred except as hereafter provided, shall become indebted in an amount including present indebtedness, exceeding five per centum of the assessed value of the property therein, except for the construction of or purchase of water works, gas or electric lighting plants, or sewerage, or for the improvement of streets, or for the purchase of Real Estate upon which to construct school houses, or for the construction and improvement of school houses, for which purposes an additional indebtedness not exceeding three per centum may be created; provided, this limitation shall not affect any debt now authorized by law to be created, nor any temporary loans to be paid within one year, made in anticipation of the collection of taxes, not exceeding one-fourth of the annual revenues of such City or Town. All towns and cities having a population of Two Thousand five hundred or more are hereby au-

thorized to become indebted in an amount, including present indebtedness, not exceeding seven per centum of the assessed valuation of the property therein; provided that there shall not be included in the limitation of the indebtedness of such last described Cities and Towns the following classes of indebtedness, to-wit: temporary loans to be paid within one year, made in anticipation of the collection of taxes, and not exceeding one-fourth of the general revenue; bonds or other obligations already issued, or which may hereafter be issued for the purpose of acquiring, providing, improving or constructing school houses, water works and sewers; and obligations incurred and bonds issued for street or side-walk improvements, (a) where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided that the proceeds of all obligations issued as herein provided, in excess of said seven per centum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of existing indebtedness. This Section shall not apply to the Cities of Sheffield and Tuscumbia.

"Yes....." "No....."

The choice of the electors shall be indicated by a cross mark made by him or under his direction, opposite the words expressing his desire.

Section Four. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of Officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section Five. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

(With substitute) :

H. 154. A Bill to be entitled an act, to provide and submit to the qualified electors of the State of Alabama at an election

to be held at the next general election at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby each municipal corporation in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, this amendment shall not reduce the rate of taxation which any municipal corporation in the State of Alabama may levy and collect under the Constitution as previously amended.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and actions at an election to be held at the next general election at which this amendment is proposed, to-wit:

"Each municipal corporation in the State of Alabama may levy and collect a rate of taxation in any one year on the property situated therein not exceeding in the total in any one year one per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, this amendment shall not reduce the rate of taxation which any municipal corporation in the State of Alabama may levy and collect under the Constitution as previously amended.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight consecutive weeks next preceding the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, together with the proposed amendment.

Section 3. That at the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided for, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz:

"Shall the following be adopted as an amendment to the Constitution of Alabama: Each municipal corporation in the State of Alabama may levy and collect a rate of taxation in any one year on the property situated therein not exceeding in the total in any one year one per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, this amendment shall not reduce the rate of taxation which any mu-

municipal corporation in the State of Alabama may levy and collect under the Constitution as previously amended."

Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State, and the election shall be held in all things in accordance with the laws governing general elections and with the constitutional provisions concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the legislature; and if it shall appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the governor.

Section 6. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the state treasury in the same manner as the expenses of other general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar:

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session, had acted on the following bills and ordered same returned to the House with a favorable report:

S. 399. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) percentum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in ad-

dition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy or such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax of not exceeding one - tenth (1/10) of one (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901, which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing Bill, S. 399, proposing an amendment to the Constitution, was read a second time, at length, and placed on the Calendar:

H. 818. A Bill to be entitled an Act to propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour Counties to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to wit: Midland City School District No. 15 in Dale County, Arifton School District No. 50 in Dale County, and Baker Hill School District No. 28 in Barbour County shall each have the right and power by a majority vote of the qualified electors of such districts voting at an election held for that purpose to levy and collect for public school purposes including the payment of indebtedness a tax not to exceed ten mills any one year in addition to all other taxes now authorized by law. The election in such districts to determine whether or not such tax shall be levied shall be called, held and conducted as now provided by law for calling and conducting an election to determine whether or not the three mill district school tax shall be levied and collected, and the laws governing the handling and the expenditure of the proceeds of the ten mill tax herein provided for shall be in all respects in accordance with the law governing the handling and the expenditure of the three mill district school tax.

Section 2. This Amendment shall be submitted to the qualified voters of the State at the General Election to be held in 1928.

The above and foregoing bill, proposing an amendment to the Constitution, was read a second time, at length, and placed on the Calendar.

H. 831. A Bill to be entitled an Act to provide for and submit to the qualified electors of the State of Alabama at an election to be held at the next general election, after the final adjournment of the present session of the Legislature, an amendment to the constitution of Alabama as follows:

"The Board of Revenue of Jefferson County or other governing body of said county, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than two-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and preventive tuberculosis work and for the construction, equipment, repair, operation and maintenance of a charity hospital in said county; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of

said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1: That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than two-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and preventive tuberculosis work and for the construction equipment, repair, operation and maintenance of a charity hospital in said County.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this Act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3: That at said election on the amendment proposed by this Act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "shall the following be adopted as an amendment to the Constitution of the State of Alabama." "The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than two-tenth of one percentum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and preventive tuberculosis work and for the construction, equipment, repair, operation and maintenance of a charity hospital in said County." Following the proposed amendment on the ballot shall be printed the word

"yes" and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross-mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held under and in all things governed by and had in accordance with the constitutional provisions touching amendments to the Constitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7: The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expenses of general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

H. 963. A bill to be entitled an act to propose an Amendment to the Constitution of Alabama authorizing the County of Jefferson, in addition to the taxes which it is now authorized and empowered to levy and collect, to levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis.

Be it enacted by the Legislature of Alabama:

Section 1. That the following Amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed Amendment, and the day hereby appointed for such election is

the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this Amendment is proposed. The proposed Amendment is to add a new section as follows:

ARTICLE XI.

Section 215-A. In addition to the taxes which the County of Jefferson is now authorized and empowered to levy and collect, said County, through its Board of Revenue or other governing body, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for state taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis. This Section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each county of the State once a week for eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

H. 906. A Bill to be entitled an Act to propose an amendment to the Constitution of Alabama for the purpose of permanently levying the special county tax of ten cents on each one hundred dollars worth of taxable property in a county for the support of public schools as authorized by Section 269 of the Constitution, and a special county tax of thirty cents on each one hundred dollars worth of taxable property in a county for public school purposes, and a special district tax of thirty cents on each one hundred dollars worth of taxable property in such district for public school purposes as authorized by Article XIX of the Constitution, commonly known as the "Special School Tax Amendment" to the Constitution, which was proposed by the Legislature by an act approved March 17, 1915; and to provide for the submission of such amendment to the qualified electors of the State.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXII. The special tax of ten cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy and collect for public school purposes by virtue of the provisions of Section 269 of the Constitution of Alabama, and the special county tax of thirty cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy for public school purposes, and the special district tax of thirty cents on each one hundred dollars worth of taxable property in such district, which the several school districts of any county in the State have the power to levy for school purposes in said district, which last two mentioned levies are authorized by virtue of the provisions of Article XIX of the Constitution of Alabama, commonly known as the "Special School Tax Amendment" to the Constitution, and which was proposed by the Legislature of Alabama by an act approved March 17, 1915, are permanently levied in and for each and every county in the State, and in and for each and every school district of every county in the State. The funds derived from the levy hereby made shall be subject to the same uses, conditions and obligations as if the levy had been made as provided by said Section 269 and said Article XIX of the Constitution of Alabama. Where any of the taxes authorized by said Section 269 and said Article XIX have been levied under the provisions of said section and article the levy hereby made shall be in lieu of such existing levies, and the funds derived therefrom shall be subject to all the uses, conditions and obligations as if said funds were derived by virtue of said existing levies.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXII of the Constitution of Alabama?"

Article XXII. The special tax of ten cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy and collect for public school purposes by virtue of the provisions of Section 269 of the Constitution of Alabama, and the special county tax of thirty cents on each one hundred dollars worth of taxable property in a county, which the several counties in the State have the power to levy for public school purposes, and the special district tax of thirty cents on each one hundred dollars worth of taxable property in such district, which the several school districts of any county in the State have the power to levy for school purposes in said district, which last two mentioned levies are authorized by virtue of the provisions of Article XIX of the Constitution of Alabama, commonly known as the "Special School Tax Amendment" to the Constitution, and which was proposed by the Legislature of Alabama by an act approved March 17, 1915, are permanently levied in and for each and every county in the State, and in and for each and every school district of every county in the State. The funds derived from the levy hereby made shall be subject to the same uses, conditions and obligations as if the levy had been made as provided by said Section 269 and said Article XIX of the Constitution of Alabama. Where any of the taxes authorized by said Section 269 and said Article XIX have been levied under the provisions of said section and article the levy hereby made shall be in lieu of such existing levies, and the funds derived therefrom shall be subject to all the uses, conditions and obligations as if said funds were derived by virtue of said existing levies.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this state, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

H. 842. A Bill to be Entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State and to this end and for this purpose, the State is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools; One Mill of the two and one-half mills ad valorem tax now levied by law for general

purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable State bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such schools and said institutions named herein, one mill of the two and one-half mills advalorem tax now levied by law for general purposes is hereby set aside as a fund to be

used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in any wise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

Mr. Byars, Chairman of the Standing Committee on Eleemosynary Institutions, reported that said Committee in session acted on the following bills and ordered same returned to the House with a favorable report:

By Mr. Webb:

H. 982. To repeal Section 2999, Code of Alabama, 1923.

By Mr. Webb:

H. 981. To abolish the Board of Managers of the State Training School for Girls; to create a board of trustees in lieu thereof; to provide for their appointment and fix their terms of office.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILL REPORTED ADVERSELY

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

S. 400.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bill and House Joint Resolution:

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

Also:

H. 707. To establish a court of record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the county court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the justices of the peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, as regards domestic relations; and to provide for a clerk of said court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the court costs in said court, to define the jurisdiction of said court, and to provide for a judge of said court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such judge, and to provide a solicitor for said court and to fix his salary and define his duties, and to provide the method whereby the judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said court and to define and provide for the proceedings in said court.

Also:

H. 11. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

Also:

H. 566. To authorize the Court of County Commissioners of Limestone County, Alabama, to levy a tax or privilege license on all persons selling, or keeping in storage for sale, gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles, and

to provide rules, regulations and machinery for the collection thereof; and to provide penalties for the violation of such rules and regulations.

Also:

H. 429. To provide that in Blount County, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Also:

H. 713. To repeal an Act entitled "An Act to provide for the election and appointment of a county superintendent of education for Marion County, Alabama, fix his or her term of office, fix the qualifications, the compensation and the successor in said office," approved on September 24, 1923.

Also:

H. 547. To amend an Act entitled an Act to establish an Inferior Court for the County of Autauga, approved September 26th, 1923, and to further provide for the payment of witnesses in attendance upon said Court, and to further provide for the payment of the Clerk and Sheriff for services rendered in cases not pressed and in cases where the defendant is found not guilty. And to provide for distribution of the Inferior Court Funds.

Also:

H. 781. To make appropriation for the ordinary expenses of the State, and for interest on the public debt.

Also:

H. 557. To vacate all public roads, trails, paths, highways and passageways, into, through, over, on or across the Southeast quarter ($SE\frac{1}{4}$) and the Southeast quarter of the Northeast quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Fourteen (14), the Northeast quarter ($NE\frac{1}{4}$) and the North half of the Southeast quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$) of Section Twenty-three (23), the Southwest quarter ($SW\frac{1}{4}$), the South half of the Northwest quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$), the Southwest quarter of the Northeast quarter ($SW\frac{1}{4}$ of $NE\frac{1}{4}$) and the West half of the Southeast quarter ($W\frac{1}{2}$ of $SE\frac{1}{4}$) of Section Thirteen (13) and the West half ($W\frac{1}{2}$) and the West half of the East half ($W\frac{1}{2}$ of $E\frac{1}{2}$) of Section Twenty-four (24), Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama, except a right of way fifty feet in width through the Northwest quarter of South-East quarter of Section 13: the South-west quarter of North-East quarter and West half of South-East quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines: Begin at the northeast corner of the North-West quarter of South-East quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of

way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section. Also begin at the northeast corner of the South-West quarter of North-East quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 38 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the South-West

quarter of South-East quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section.

Also:

H. 670. To amend the title and sections 5, 12, 14 and 17 of the Act approved September 25, 1915, and entitled "An act to establish a Board of Revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, provide for a clerk and engineer, and to abolish the Board of Public Works and the Jury Commission of said County.

Also:

H. J. R. 93. Requesting the State Tax Commission to investigate and give to the House and Senate a report on the increased income of the State caused by the new Revenue Bill.

And find same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 330. To repeal Section 2364 of the Code of Alabama, 1923.

S. 341. To amend an act entitled "An act to amend the title, and Sections one, four, six, seven, eight, nine, eighteen, twenty-seven, thirty and thirty-three of an Act entitled: 'An Act to regulate inferior courts or courts of common pleas, or by whatsoever name the same is known and called, in cities having as many as thirty-five thousand and less than fifty thousand population, according to the last or any subsequent Federal census; provide and define the jurisdiction and powers of such courts; to provide for the judges and officers of such courts, and their powers, duties and compensation and to fix the fees and costs for

such courts; to provide the rules of procedure for such courts; and for the operation thereof; and to provide for registering, and a lien for its judgments; and to abolish justices of the peace in such cities', approved February 19, 1919, found in the general acts of Alabama, 1919, pages 155 to 163, inclusive" approved September 7th, 1923, found in the general acts of Alabama, 1923, pages 251 to 255, inclusive.

S. 168. To provide for and establish in each and all counties of this State which now have a population of two hundred thousand people, or more, according to the last Federal census, or which shall hereafter have such population, or more, according to any such census hereafter taken, a court to be designated the Juvenile and Domestic Relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction, and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said court to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and of all wards and probationers of such Domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations Courts and Courts of Domestic Relations in such counties.

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the fireman's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees, to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under exist-

ing laws during the terms for which they have been elected, same to be trustees under this Act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said board of trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective firemen's pension and relief funds as created and provided in this Act the respective funds and moneys and properties constituting firemen's pension and relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill:

H. 626. To alter and rearrange the boundary lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said city certain territory not included therein.

And returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The question was upon concurring in the Senate Amendment to the Bill H. 626, said Senate amendment being as follows:

SUBSTITUTE FOR H. B. 626.

H. 626. A Bill to be entitled an act to alter and re-arrange the Boundary Lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said City certain territory not included therein.

Be it Enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this Act, the boundary lines of the City of Mobile, Alabama, shall be altered and rearranged so as to be as follows:

Commencing at the Southeast corner of township 4 south, range 1 west, thence west along the south boundary of said township to the middle of the south boundary of section 33, township 4 south, range 1 west; thence north along the middle line of said section to the middle of the north boundary of section 33, thence west following the governmental land boundaries to the middle of the south boundary of section 29, township 4 south, range 1 west; thence north along the middle line of section 29, township 4 south, range 1 west, to a point where said middle line of section 29 intersects the middle of the stream of Bayou Durand or Eslava Creek; thence in a westwardly direction along the middle of the stream of Bayou Durand or Eslava Creek, to a

point one-fourth of a mile east of the western boundary line of section 29, township 4 south, range 1 west; thence northwardly to a point on the south property line of Dauphin way, which point is one-fourth of a mile east of the west boundary line of section 20, township 4 south, range 1 west; thence eastwardly along the south side of Dauphin way to a point on the west side of Homer Street, where the said western line of Homer Street would intersect the south line of Dauphin way, if said Homer Street were extended; thence northwardly along the west side of Homer Street to the south side of Old Shell Road; thence westwardly along the south side of Old Shell Road to the west side of Grand Boulevard if said Grand Boulevard were extended; thence northwardly along the west side of Grand Boulevard across Spring Hill Avenue, and to a point on the south bank of Three Mile Creek, where the west side of Grand Boulevard would intersect said Three Mile Creek, if extended northwardly; thence down the south bank of Three Mile Creek with its meanderings to the west bank of Mobile River; thence east to the middle of the channel of Mobile River; thence north to an intersection with the east and west middle line of Section 2, township 4 south, range 1 west; thence east along said middle line of section 2, and continuing along said middle line of section 2, and continuing along the middle line of Section 1, township 4 south, range 1 west, to the eastern boundary of said township; thence south along the eastern boundary of said township 4 south, range 1 west to the southeast corner thereof, the point of beginning.

Section 2. That the boundary set out in Section 1 of this Act be and the same is hereby established as the corporate limits of the said City of Mobile.

Section 3. This Act shall go into effect on October 1st, 1927.

Section 4. Be it further enacted that all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

On motion of Mr. Rogers, of Mobile, the House non-concurred in the Senate amendment to the Bill, H. 626, and asked for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 626, and the Speaker named as conferees on part of the House Messrs. Rogers of Mobile, Vickers and Ashcraft.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Bill and sends same herewith to the House without engrossment:

By Mr. Young (With N. & P.):

S. 414. To repeal Section 2 of an Act entitled "An Act to authorize and require the Commissioners Court of Lamar Coun-

ty to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the Clerk of the Circuit Court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees" which said act was approved on Dec. 3, 1896.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the present Legislature of the State of Alabama repealing Sec. 2 of the Local Act No. 36 of Lamar County, which act is found in "Acts of Alabama 1896-7, and which act provides for the payment of state witnesses, in attendance before the Grand Jury and state witnesses in attendance upon the Circuit Court, sixty cents per diem for attendance and four cents per mile traveled each way.

This the 15th of June, 1927.

E. T. Hill, Clerk.

STATE OF ALABAMA, Lamar County.

Personally appeared before me, a Clerk of Circuit Court in and for the said State and County, Kirby T. Mills, who, after being duly cautioned and sworn, deposeth and says as follows: That he is the Publisher of The Lamar Democrat, a weekly newspaper, published in the State of Alabama, County of Lamar, Town of Vernon, and that a legal notice was published for four (4) consecutive weeks in the above named paper prior to July 9, 1927, in issues of June 15, 1927, June 22, 1927, June 29, 1927, July 6, 1927, copy of which advertisement is hereto attached.

Kirby T. Mills,

Sworn to and subscribed before me, this 9th day of July, 1927.

E. T. Hill,

(Seal)

Clerk of Circuit Court.

By Mr. Fite (with Notice and Proof):

S. 133. To appropriate the sum of Three Thousand (\$3,000.00) Dollars, to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed while in line of duty as an employee of the State, on December 21, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama as follows, to-wit:

Notice is hereby given that the undersigned will apply to the Legislature to enact a bill to appropriate the sum of Seventy-five Hundred (\$7,500.00) Dollars to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed in the line of duty as an employee of the State of Alabama on December 20th, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

This 7th day of January, 1927.

Olive Jernigan.

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the County and State, aforesaid personally appeared George M. Howle, editor of the Weekly Call, a weekly newspaper published in said State and County, who, being by me first duly sworn, deposes and says that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for four consecutive weeks, commencing on January 8, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public.

By Mr. Fite (With N. & P.) :

S. 305. To provide for the relief of Mrs. Lola Staten, Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbell, and Louis Isbell.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 General Session of the Legislature of Alabama, in words and figures as follows, to-wit:

AN ACT

For the relief of Mrs. Lola Staten, Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, K. H. Isbell, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbel and Louis Isbel.

Whereas, George Delaney, a late resident of Hale County, Alabama, was born a foreigner and outside the jurisdiction of the United States and died intestate on the 29th day of August, 1912, and

Whereas, the Probate Court of Hale County, Alabama, issued letters of administration on the estate of said George Delaney, deceased, and in due course and according to law the proceeds from said estate escheated to the State of Alabama, in accordance with the final decree of the Probate Court of said County rendered on December 9th, 1916, and the sum of \$8,376.35 was paid into the Treasury of the State of Alabama as the net proceeds of said estate; and,

Whereas, the above named parties who constitute all of the heirs and next of kind of said George Delaney, deceased, who have never received any share, part or interest of, or in said estate; and,

Whereas, all of said heirs of the said George Delaney, deceased, are interested in said estate, now therefore:

Be it enacted by the Legislature of Alabama, as follows:

Section 1. There is hereby appropriated out of the General Educational Fund of the State of Alabama, for the fiscal year beginning October 1st, 1926, the sum of \$8,376.35 to the following named persons: Mrs. Lola Staten, Mrs. **Evaline Tolbert, Willie Banks, Lizzie Easterwood, K. H. Isbell, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbell** and Louise Isbel as their interest may appear.

Section 2. The money appropriated by Section 1, of this act shall be paid upon warrants drawn by the State Auditor on the Treasurer of the State of Alabama, each for an amount to be ascertained by the State Treasurer and Secretary of State, and payable to each of the several parties mentioned in said section 1, their attorney or personal representative. Provided that the Treasurer and Secretary of State shall set a day to hear and consider the evidence for and against the claims of the persons mentioned in Section 1 of this act, of which hearing the Attorney General of the State of Alabama shall have at least ten days notice, and said State Treasurer, and Secretary of State shall render a decree in accordance with the findings, determining whether or not the said claimants are the legal heirs and next of kin of the said George Delaney, then upon delivering a certified copy of said decree to the said Auditor, the said warrant shall be so drawn as their interest appeared, but in the event said decree should determine that the said Claimants are not the legal heirs and next of kin of the said George Delaney, deceased, then no warrant shall issue.

STATE OF ALABAMA,

Jefferson County.

Personally appeared before me the undersigned authority in and for said County and said State, Thomas L. Cannon who is known to me and who being by me first duly sworn, deposeth and saith as follows:

That he is the Editor of Farms and Industries, a weekly paper published in Jefferson County, Alabama, and that the attached publication was published in said paper four consecutive weeks in the issues January 22nd, January 30, February 5, February 12th, 1927.

Thomas L. Cannon,

Subscribed and sworn to before me this 20th day of June, 1927.

J. C. Arnold,
Notary Public.

(Seal)

By Mr. Stanley (With N. & P.):

S. 299. To provide for the Election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Please take notice that at the adjourned session of the present session of the Legislature of Alabama, which convenes on the 7th day of June, 1927, there will be introduced for passage a bill to be entitled:

To provide for the Election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his election at the next general election to be held in Butler County Alabama, and to provide for the election of his successor in office.

Be it enacted by the Legislature of Alabama:

Section 1. That a County superintendent of Education for Butler County, Alabama, who shall hold office until his successor is elected and qualified as hereinafter provided.

Section 2. That at the next general election to be held in said county and state a County Superintendent of Education for Butler County, Alabama, shall be elected, who shall hold office for a term of four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years, thereafter, a County Superintendent of Education for Butler County, Alabama, shall be elected by the qualified voters of said County at the regular election held in said County and State, nomination for which office may be made in primary elections as other County officers.

Section 3. That the salary of said superintendent of education shall be fixed by the County Board of Education of Butler County, Alabama, which salary shall not be less than \$1,800.00 nor more than \$3,000.00 per annum and which salary shall be paid in the same way and manner as now provided under the general laws of the State of Alabama for the payment of County Superintendents of Education in the several counties of the State.

Section 4. That said County Superintendent shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State of Alabama in the conduct of the office of the County Superintendent of Education; that no person shall be eligible to such office who is not a qualified elector of Butler County, Alabama, and who shall hold a first grade certificate or life certificate as a teacher in the public schools of Alabama, at the time of the nomination or election to such office.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the County Board of Education and the person so appointed shall hold office until the next general election thereafter when his successor shall be elected; that should any County Superintendent be removed for cause by the County Board of Education of Butler County, such vacancy shall be filled by appointment of the State Superintendent of Education, and his appointee shall hold office as in the case provided by appointment of the County Board of Education. Provided, that the County Board of Education may remove the County Superintendent of Education for immorality, misconduct in office, incompetence, or willful neglect of duty, or when the best interest of the schools require it; any of which causes must be alleged and proved, and the County Superintendent of Education shall have the right to be heard in his defense as in cases of impeachment against County officers, and all such hearings shall be before the County Board of Education and shall be conducted as in cases provided under the general laws for impeachment of County officers, and provided that upon such removal for cause any County Superintendent may appeal to the Circuit Court and have trial by jury.

Section 6. That the duties and powers be prescribed by the general laws of Alabama for the office of County Superintendents the Supervision of the school of the several counties shall apply to and be incumbent upon the county Superintendent. The County Superintendent elected or appointed under the provisions of this act, and before entering upon the duties

of said office, he must take the oath of office prescribed by the Constitution, and give bond in an amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties in his office, and upon the accounting and paying over to the proper authority all moneys coming into his hands.

Section 7. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act are hereby expressly repealed.

STATE OF ALABAMA,

Butler County.

F. W. Stanley being duly sworn saith:

That he is the business manager and one of the publishers of the Greenville Advocate, a weekly newspaper printed and published in the City of Greenville, County of Butler, State of Alabama, and that the notice hereto annexed was published in said Greenville Advocate for four consecutive weeks, said notice appearing in said newspaper which was published and printed on May 26th, 1927, June 1st, 1927, June 8th, 1927, and June 15th, 1927, and that said notice was published without cost to the State.

F. W. Stanley.

Sworn to and subscribed before me this 18th day of June, 1927.

Milton Lewis,
Notary Public.

By Mr. Stokes (With N. & P.):

S. 411. To alter or re-arrange the boundary lines of the Town of Newton, Dale County, Alabama.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that the following Bill will be introduced at the present session of the Legislature:

AN ACT

To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama. Be it enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the corporate limits of the Town of Newton, in Dale County, Alabama, be, and the same are hereby altered and rearranged so as to include and embrace within the corporate limits of said Town, all that territory lying within the County of Dale, included within the boundaries herein set out, to wit: Beginning at the northeast corner of Township number Four, range twenty four, thence running west along the north boundary of township number four, a distance of one and three fourths miles, to the northwest corner of northeast quarter of northwest quarter of section number two, township number four and range number twenty-four; thence running south along said forty line one fourth mile east of the west boundary of sections number two, eleven and fourteen, a distance of two and one quarter miles, to the southwest corner of the northwest quarter of northwest quarter section fourteen, township number four, and range twenty-four; thence running east along the south boundary of said forty one fourth mile south of the north boundary of sections number fourteen and thirteen and extending a distance of one and three fourths miles, to range line between range twenty-four and twenty-five, which is the southeast corner of the northeast quarter of north east quarter of section number thirteen, township number four. and range number twenty-

four; thence running north along the range line, between ranges twenty-four and twenty-five, a distance of two and one fourth miles, to the northeast corner of township number four and range number twenty-four, to the point of beginning. Section 2. That the boundaries set out in section one of this Act, be, and the same are hereby established as the corporate limits of the said Town of Newton, Alabama.

Newton, Alabama, July 5th, 1927.

D. P. Puritt,
Roy A. Jones,
J. C. Howell,
D. K. Thomley,
H. T. Hayes,
R. J. Davis,

STATE OF ALABAMA,

Dale County.

Before me, Chas. O. Stokes, a Notary Public in and for said county in said state, personally appeared Jesse B. Adams, who, being by me first duly sworn, deposes and says on oath as follows: My name is Jese B. Adams. I am over 21 years of age. I am the Editor and publisher of the Southern Star, a weekly newspaper published in and of general circulation in Ozark, Dale County, Alabama. The above and foregoing notice was published in said newspaper once a week for four consecutive weeks, beginning with the issue of July 6th, 1927.

Jesse B. Adams,
Editor and Publisher, The Southern
Star, Ozark, Dale County, Ala.

Sworn to and subscribed before me this July 26th, 1927.

Chas. O. Stokes,
Notary Public, Dale County, Ala.

By Mr. Fite:

S. 431. To create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal.

By Mr. Craft:

S. 423. Authorizing the Board of Commissioners of any Sea Wall District, now or hereafter formed in any county in this State in which are located navigable waters where the tides ebb and flow, to acquire from the Governor of Alabama, soil under any navigable water in said county, lying between the present high water mark and any Sea Wall which such commissioners may hereafter erect, and fill the same in and reserve a portion thereof for public use; and directing that all land so filled in seaward from high water mark and within two hundred and fifty (250) feet inland from such Sea Wall shall be forever reserved for public purposes; and authorizing said Sea Wall Commissioners to sell the balance of such land so filled in and not so reserved, to the upland owners; and authorizing said Commissioners to construct, maintain and operate public roads

and public boulevards at any point on any land so filled in seaward from present high water mark.

By Mr. Hall (With N. & P.) :

S. 416. To amend Section 1 and repeal sections 2, 3 and 4 of an Act, entitled An Act, "To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry County, Alabama, since the first day of January 1913 and prior to the first day of August 1919, to be registered and paid out of the fine and forfeiture fund of said County," approved August 16, 1919.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO THE LEGISLATURE OF
ALABAMA, FOR A LOCAL ACT FOR HENRY COUNTY.

Notice is hereby given of intention to apply to the Legislature of Alabama for the passage of the local act hereinafter following, as recommended by the Court of County Commissioners of Henry County, Alabama.

Witness my hand this June 24th, 1927.

H. W. Owens,
Judge of Probate.

PROOF BY AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,

Henry County.

Before me H. W. Owens, Judge of Probate, in and for said county, in said State, personally appeared H. H. Golson who is known to me and known to me to be a credible person, and who, on oath duly administered, deposes and says, that he is Editor of The Abbeville Herald, a newspaper published weekly in the Town of Abbeville, in said county, and that aforesaid and attached proposed local act for said county, entitled,

"An Act, To Amend Section 1 And Repeal Sections 2, 3 and 4 of an Act, Entitled An Act, 'To Require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry County, Alabama, since the first day of January 1913, and prior to the first day of August 1919, to be registered and paid out of the Fine and Forfeiture fund of said County,' approved August 16, 1919."

Together with notice of intention to apply to the Legislature of Alabama for the enactment thereof, was published in said newspaper for four consecutive weekly publications, on dates, viz., June 30th, and July 7th, 14th and 21st, 1927.

H. H. Golson,

Sworn to and subscribed before me, at Abbeville, in said County and State, this, the 22nd day of July 1927.

(Seal) H. W. Owens,
Judge of Probate, Henry County, Alabama.

Also:

By Mr. Mitchell (by request) (With N. & P.) :

S. 404. To alter or re-arrange the boundary lines of the City of Florence, Alabama, so as to include within the corporate

limits of said municipality the following additional adjacent territory; beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress Street with the north bank of the Tennessee River thence westwardly with the north bank of the Tennessee River to the east bank of Cypress Creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road bridge over Cypress Creek; thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street the present corporation line to the point of beginning.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the bill hereinafter set forth will be introduced in the legislature of Alabama at its session in June, 1927, to-wit:

A Bill To Be Entitled An Act:

To alter or re-arrange the boundary lines of the city of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory: Beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress street with the north bank of the Tennessee river; thence westwardly with the north bank of the Tennessee river to the east bank of Cypress creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road Bridge over Cypress Creek, thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street to the present corporation line to the point of beginning.

Be it enacted by the legislature of Alabama:

Section 1. That the boundary lines of the city of Florence, in Lauderdale County, Alabama, be and the same are hereby altered and re-arranged so as to include within the corporate limits of said municipality the following additional adjacent territory: Beginning at a point on the present corporation line of Florence, Ala., at the intersection of the west line of Cypress street with the north bank of the Tennessee River; thence westwardly with the north bank of the Tennessee river to the east bank of Cypress creek; thence northwardly with the east bank of Cypress creek to the Gunwaleford Road Bridge over Cypress Creek; thence eastwardly with the south side of said Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west the present corporation line; then due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal

Street produced the present corporation line to the west line of Cypress Street thence southwardly west line of Cypress Street, the present corporation line to the point of beginning.

THE STATE OF ALABAMA,

County of Lauderdale.

Before me, the undersigned authority, in and for the State and County aforesaid, personally appeared O. P. Anderson, who, after first being by me duly sworn, deposes and says that he is Business Manager of the Florence Times-News, a newspaper published in the City of Florence, Lauderdale County, Alabama, and that the foregoing attached notice was published in said newspaper in its issues of May 23rd, 1927, May 30th, 1927, June 6th, 1927, and June 13th, 1927.

O. P. Anderson,

Sworn to and subscribed before me this 11th day of July, 1927.

Orlan B. Hill, Jr.,

Notary Public.

By Mr. Craft:

S. 425. To provide that all counties in this State in which are located navigable waters where the tides ebb and flow and in which there are now or may hereafter be formed districts for the purpose of building and maintaining Sea Walls and other protection against seas, waves, storms and floods, shall through their respective governing bodies from and after the formation of such district levy a tax of 2c per gallon on all gasoline and other motor vehicle fuel oils and motor vehicle lubricating oils sold in said county except such as is sold in interstate commerce, and authorizing the governing body of such county to provide rules and regulations governing the assessment and collection of said tax and authorizing the proceeds thereof to be paid over to the treasurer of the Board of Commissioners of the Sea Wall District in said county and defining the purpose for which said proceeds of such tax may be used and directing that such tax shall be levied and collected as long as any bonds issued by the Board of Commissioners of said Sea Wall District are outstanding and remain unpaid.

By Mr. Craft:

S. 424. Giving the Board of Commissioners of any Seawall District now or hereafter formed in counties of this State in which are located navigable waters where the tides ebb and flow exclusive power to regulate the use of lands filled in and lying seaward from present high water mark; and authorizing such Board of Commissioners to adopt zoning regulations with respect to the use of land located within five hundred feet inland from present high water mark.

By Mr. Edgar:

S. 385. A Bill to be entitled an act, to provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present

session of the Legislature, an amendment to the Constitution of Alabama authorizing a portion of Choctaw County in said state to levy and collect a tax of five mills in addition to all taxes now authorized.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment is as follows:

"That all that portion of Choctaw County in the State of Alabama, lying south of the Okatuppa Creek from the Tombigbee River up to the north line of Section 21, township 11, thence west to the Mississippi state line, is hereby created a special tax district. The governing body of Choctaw County shall have the right and power to levy and collect for public school purposes, in addition to all other taxes now authorized by law a tax not in excess of one-half of one percentum on all property situated within the tax district hereby created, based upon the valuation of such property in said district, as assessed for state taxation, provided such tax is authorized by a majority of the qualified electors of said district voting upon such proposition at an election called and held for the purpose of authorizing such tax. Such an election may be called at any time by the governing body of said county, and must be called by said governing body whenever said governing body is requested in writing by the governing board of education of said county, and such election must be called by said governing body upon a petition signed by two hundred or more qualified electors of said district and addressed to the Court of County Commissioners. Such election shall be held and conducted and the results canvassed, as now provided by law for holding and conducting and canvassing the returns of an election to determine whether or not the three mill district school tax shall be levied and collected. The proceeds of the tax hereby authorized shall be used in all respects in accordance with law governing the handling and expenditure of the three mill district school tax."

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the state for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

Local Legislation, S. 414, S. 411, S. 431, S. 424, S. 423, S. 416, S. 404, S. 425.

Appropriations, S. 133, S. 305.

Rules, S. 299.

The above and foregoing S. B. 385, proposing an amendment to the Constitution, set out at length in the Message from the Senate, was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and find same correctly engrossed, to-wit:

H. 922. To alter and rearrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

Also:

H. 923. To alter and arearrange the boundaries of the City of Montgomery, Alabma, extending the corporate limits of said City and to zone parts of the annexed territory.

Also:

H. 419. Relating to and to further provide for the revenue of the State of Alabama, by providing for the registration and identification of motor vehicles, and trailers used on the public highways of Alabama and for the registration and license fee therefor, and to further provide for the revenue of the State of Alabama.

Also:

By Mr. Beebe:

H. 773. A Bill to be entitled an Act to propose and submit to the qualified electors of the State of Alabama an amendment

to the Constitution of Alabama, authorizing the Legislature to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the state of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be insured by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts; and providing that the powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924; and providing that any laws enacted by the Alabama Legislature of 1927 shall be valid and

have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

"The Legislature is authorized to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the State of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period

is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts. The powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924.

Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment."

Section 2. That notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor of Alabama, which shall be published in one newspaper once a week in each County in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Also:

By Mr. Powell:

H. 724. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$5,000.00 per year, net; allowance of \$7,500.00 per annum for office expenses as follows: one clerk, at \$2100.00 per annum; two clerks at \$1,500.00 per annum, each; and \$2,400.00 per annum for all other expenses, including extra clerks. The said \$2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$2,100.00 per year for a chief clerk in said office; \$1,200.00 for an assistant clerk in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$1,500.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$3,600.00 per year, net; allowance of \$1,800.00 per year for chief clerk in said office and \$1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year, net. The County Treasurer of said county shall receive a salary of \$2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as 'The Salary Fund'; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or

general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

Also:

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment.

Also:

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate Members and to abolish the Commissioners Court of Etowah County.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

BILLS ON THIRD READING.

H. 15 (with substitute). To protect purchasers of real and personal property against which mortgages, vendor's liens, judgments and other liens have been recorded in dealing with the record owners of such liens, and to provide that cancellations of liens of this character by the record owners thereof shall be valid as to such purchasers.

Was taken up. The question was upon the adoption of the Substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

By Mr. Lee:

Substitute H. 15. A Bill to be entitled An Act to protect purchasers of real and personal property against which mortgages,

vendors' liens, judgments and other liens have been recorded in dealing with the record owners of such liens, and to provide that cancellations of liens of this character by the record owners thereof shall be valid as to such purchasers.

Be it enacted by the Legislature of Alabama:

Section 1. That purchasers of real and personal property against which there are recorded mortgages, vendors' liens, judgments and other liens, shall be protected in assuming that the record owner of such liens is the owner of the indebtedness secured by the same, and in dealing with such record owner as the owner of such indebtedness.

Section 2. Cancellation so the record of mortgages, vendors' liens, judgments and other liens by the record owner of the same shall be valid as to purchasers of the real or personal property affected by liens of such character.

Section 3. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 4. This act shall be effective on and after the date of its final enactment, whether by approval of the Governor or otherwise.

And on motion of Mr. Lee the substitute reported by the Standing Committee on Judiciary, was adopted.

Yeas, 68; nays, 0.

Yeas:

Messrs:

Adcock

Allen

Anderson

Ashcraft

Baldwin

Bartlett

Beebe

Bryant

Burns

Cockrell

Cook

Darden

Deloney

Denson

Desear

Frey

Goode

Goodwyn

Green

Grove

Gullatt

Harwood

Hawkins

Hollis

Howard

Howell

Hubbard

Hughes

Jeter

Johnson

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Lee

Lovelace

Luck

McAdory

Martin

Matthews

Merrill

Miller (Sumter)

Molette

Monk

Mullen

Norman

Owens

Parish

Pegues

Rankin

Reeder

Ringer

Rogers (Elmore)

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shivers

Simpson

Starnes

Stephens

Stewart (Calhoun)

Thompson

Tompkins

Vickers

Ware

Webb

Weldon

Winn

—68

And the bill:

H. 15. To protect purchasers of real and personal property against which mortgages, vendors liens, judgments and other liens have been recorded in dealing with the record owners of such liens, and to provide that cancellations of liens of this char-

acter by the record owners thereof shall be valid as to such purchasers.

As amended by the substitute reported by the Standing Committee on Judiciary, was read a third time at length and passed.

Yeas, 67; nays, 0.

Yeas:

Messrs:

Adcock	Goode	Lovelace	Sanders (Pike)
Allen	Goodwyn	McAdory	Sanderson
Anderson	Grove	Martin	Shivers
Ashcraft	Gullatt	Matthews	Simpson
Baldwin	Harwood	Merrill	Starnes
Bartlett	Hawkins	Miller (Sumter)	Stephens
Bryant	Hightower	Monk	Stewart (Calhoun)
Burleson	Hollis	Moxley	Tompkins
Burns	Howard	Mullen	Vickers
Carter	Howell	Parish	Waddell
Cockrell	Jeter	Patterson	Ward (Geneva)
Cook	Johnson	Pegues	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Quillin	Ware
Deloney	Jordan (Etowah)	Reeder	Webb
Denson	Jordan (Washington)	Ringer	Weldon
Edmundson	Kirkpatrick	Rogers (Elmore)	Winn
Frey	Lee	Rogers (Mobile)	

—67

And on motion of Mr. Lee the bill H. 15 was ordered sent forthwith to the Senate without engrossment.

H. 541. To prescribe what documents shall be admitted to record in the offices of probate judges of the several counties of Alabama, and to provide that their filing for record shall constitute notice of their contents.

Was read a third time at length and passed.

Yeas, 66; nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	Lovelace	Rogers (Mobile)
Allen	Grove	Luck	Sanders (Conecuh)
Anderson	Gullatt	Merrill	Sanders (Pike)
Ashcraft	Harwood	Miller (Sumter)	Sanderson
Baldwin	Hightower	Molette	Shepherd
Bartlett	Hollis	Monk	Starnes
Beebe	Howard	Mullen	Stephens
Brunson	Howell	Norman	Stewart (Calhoun)
Bryant	Hubbard	Owens	Thompson
Burns	Hughes	Parish	Tompkins
Carter	Johnson	Pegues	Vickers
Cockrell	Jones (Cleburne)	Quillin	Waddell
Darden	Jordan (Etowah)	Rankin	Ward (Geneva)
Deloney	Jordan (Washington)	Reeder	Ware
Denson	Kirkpatrick	Ringer	Webb
Frey	Langdon	Rogers (Elmore)	Weldon
Goode	Lee		

—66

And on motion of Mr. Lee the bill H. 541 was ordered sent forthwith to the Senate without engrossment.

H. 955. To repeal an Act, entitled "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security, in Jefferson, Morgan, Walker and Etowah Counties," approved March 9, 1901, (Acts 1900-1901, pages 2685 to 2688), in so far as the same relates to or affects any and all counties of this State having a population of forty-five thousand or less according to the last preceding or any subsequent official and published Federal Census.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Lovelace	Powell
Allen	Goode	Luck	Reeder
Ashcraft	Goodwyn	McAdory	Ringer
Baldwin	Green	Matthews	Shivers
Bartlett	Grove	Merrill	Smith
Beebe	Gullatt	Molette	Starnes
Bryant	Guy	Monk	Thompson
Burleson	Hampton	Moxley	Tompkins
Burns	Hollis	Mullen	Vickers
Byars	Howard	Nipper	Waddell
Carter	Howell	Norman	Wallace
Cockrell	Jeter	Owens	Ward (Tuscaloosa)
Cook	Johnson	Patterson	Ware
Deloney	Langdon	Pegues	Webb
Desear	Lawler	Pitts	Weldon
Edwards	Lee	Poole	Winn
Fite			

—65

And on motion of Mr. Patterson the bill H. 955 was ordered sent forthwith to the Senate without engrossment.

H. 275. To amend Section 4559 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 70; nays, 0.

Yeas:

Messrs.:

Adcock	Cockrell	Gullatt	Jones (Cleburne)
Allen	Cook	Harwood	Jordan (Etowah)
Ashcraft	Darden	Hightower	Jordan (Washington)
Baldwin	Deloney	Hollis	Kirkpatrick
Bartlett	Denson	Howard	Langdon
Beebe	Frey	Hubbard	Lee
Bryant	Goode	Hughes	Lovelace
Burns	Goodwyn	Jeter	Luck
Cannon	Green	Johnson	McAdory
Christian	Grove	Jones (Bullock)	Martin

Matthews	Owens	Sanderson	Waddell
Merrill	Parish	Simpson	Ward (Geneva)
Miller (Sumter)	Pegues	Starnes	Ward (Tuscaloosa)
Molette	Ringer	Stephens	Ware
Monk	Rogers (Elmore)	Stewart (Calhoun)	Webb
Moxley	Rogers (Mobile)	Thompson	Weldon
Mullen	Sanders (Conecuh)	Vickers	Winn
Norman	Sanders (Pike)		

—70

And on motion of Mr. Goodwyn the bill H. 275 was ordered sent forthwith to the Senate without engrossment.

H. 276. To amend Section 4569 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 66; nays, 3.

Yeas:

Messrs.:

Adcock	Goodwyn	Luck	Rogers (Mobile)
Allen	Green	McAdory	Sanders (Conecuh)
Anderson	Grove	Martin	Sanders (Pike)
Ashcraft	Gullatt	Matthews	Sanderson
Baldwin	Harwood	Merrill	Simpson
Bartlett	Hightower	Miller (Sumter)	Stephens
Beebe	Hollis	Molette	Stewart (Bibb)
Bryant	Howard	Monk	Stewart (Calhoun)
Burns	Hubbard	Moxley	Thompson
Carter	Hughes	Mullen	Vickers
Christian	Jeter	Norman	Waddell
Cockrell	Johnson	Parish	Ward (Geneva)
Cook	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Ringer	Ware
Denson	Jordan (Washington)	Rivers	Weldon
Frey	Kirkpatrick	Rogers (Elmore)	Winn
Goode	Lovelace		

—66

Nays:

Messrs.:

Cannon	Rankin	Tompkins	—3
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And on motion of Mr. Goodwyn the bill H. 276 was ordered sent forthwith to the Senate without engrossment.

H. 88. To appropriate two hundred and fifty-five thousand (\$255,000.00) dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

Was read a third time at length and passed.

Yeas, 66; nays, 0.

Yeas:

Messrs.:

Adcock	Beebe	Burns	Carter
Allen	Bryant	Byars	Cockrell
Anderson	Burleson	Cannon	Cook

Darden	Hollis	Miller (Marengo)	Simpson
Deloney	Howard	Miller (Sumter)	Starnes
Denson	Hubbard	Molette	Stephens
Edmundson	Hughes	Monk	Stewart (Calhoun)
Frey	Jones (Bullock)	Moxley	Thompson
Golson	Jones (Cleburne)	Mullen	Tompkins
Goode	Jordan (Etowah)	Nipper	Vickers
Goodwyn	Jordan (Washington)	Patterson	Waddell
Green	Kirkpatrick	Pegues	Ward (Tuscaloosa)
Grove	Lee	Ringer	Ware
Gullatt	Lovelace	Rogers (Elmore)	Webb
Guy	McAdory	Rogers (Mobile)	Weldon
Harwood	Matthews	Sanders (Pike)	Winn
Hightower	Merrill		

—66

And on motion of Mr. Harwood the bill H. 88 was ordered sent forthwith to the Senate without engrossment.

H. 120. To further regulate primary and general elections of Associate Justices of the Supreme Court; Justices of the Court of Appeals; Judges of the Circuit Courts and associate members of the Public Service Commission.

Was read a third time at length and passed.

Yeas, 54; nays, 21.

Yeas:			
Messrs.:			
Adcock	Edmundson	Luck	Sanders (Conecuh)
Ashcraft	Frey	McAdory	Sanderson
Baldwin	Goode	Matthews	Simpson
Bartlett	Goodwyn	Merrill	Starnes
Beebe	Green	Miller (Marengo)	Stephens
Burns	Hampton	Molette	Thompson
Byars	Hughes	Monk	Tompkins
Carter	Jeter	Moxley	Tunstall
Christian	Johnson	Mullen	Waddell
Cockrell	Jordan (Etowah)	Parish	Ward (Tuscaloosa)
Cook	Jordan (Washington)	Patterson	Ware
Darden	Lawler	Ringer	Weldon
Deloney	Lee	Rogers (Mobile)	Winn
Denson	Lovelace		

—54

Nays:			
Messrs.:			
Allen	Grove	Jones (Cleburne)	Rogers (Elmore)
Anderson	Gullatt	Miller (Sumter)	Sanders (Pike)
Bryant	Hightower	Powell	Stewart (Bibb)
Burleson	Hollis	Quillin	Stewart (Calhoun)
Cannon	Howard	Rankin	Webb
Fite			

—21

And on motion of Mr. Tunstall the bill H. 120 was ordered sent forthwith to the Senate without engrossment.

H. 134. "To provide for contents of elections held for the purpose of levying a special district tax for public school purposes."

Was read a third time at length and passed.

Yeas, 69; nays, 0.

Yeas:

Messrs.:

Adcock	Deloney	Jones (Bullock)	Parish
Allen	Denson	Jones (Clebune)	Patterson
Anderson	Edmundson	Jordan (Washington)	Quillin
Ashcraft	Fite	Kirkpatrick	Rogers (Elmore)
Baldwin	Frey	Lee	Rogers (Mobile)
Bartlett	Goode	Lovelace	Sanders (Conecuh)
Beebe	Goodwyn	Luck	Sanders (Pike)
Brunson	Green	McAdory	Sanderson
Bryant	Grove	Matthews	Simpson
Burleson	Gullatt	Merrill	Starnes
Burns	Hampton	Miller (Marengo)	Stephens
Byars	Hightower	Miller (Sumter)	Stewart (Calhoun)
Cannon	Howard	Molette	Thompson
Carter	Howell	Monk	Tompkins
Christian	Hubbard	Moxley	Waddell
Cockrell	Hughes	Mullen	Ward (Tuscaloosa)
Cook	Johnson	Owens	Weldon
Darden			

—69

And on motion of Mr. Monk, the bill H. 134 was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House Amendment to the bill: S. B. 331. To amend Section 2341 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 74. Be it resolved by the Senate, the House concurring, that upon adjournment today the Legislature do adjourn to reconvene on Thursday, Aug. 4th, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The House concurred in and adopted the Senate Joint Resolution No. 74 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has non-concurred in the House Amendment to the following Senate Bill:

S. 54. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act.

And requests a Committee of Conference.

Conferees on the part of the Senate, Messrs. Fite, Nolan and James.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Goodwyn the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House Amendment to the Bill, S. 54.

The Speaker named as conferees on the part of the House, Messrs. Poole, Rogers of Mobile and Lawler.

BILL ON THIRD READING.

H. 660. A Bill to be Entitled An Act to propose an Amendment to the Constitution of Alabama authorizing the Cities of Birmingham and Montgomery to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one percentum, which a majority of the qualified electors of said Cities voting at an election called for that purpose may authorize:

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature to-wit: November , 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI.

Section 216-A. In addition to the taxes which the Cities of Birmingham and Montgomery are authorized to levy and collect under the Constitution as heretofore amended, each of said cities shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one percentum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of each such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed per cent for the year (or years) for the purpose or purposes of " and "Against authorization of additional taxation at rate not to exceed per cent for the year (or years) for the purpose or purposes of ." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when

a proposition is submitted to the electors of either of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

"Yes....."
 No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

Was taken up. Mr. Sanderson offered the following amendment to the Bill, H. 660:

To amend House Bill No. 660, as follows:

By striking therefrom the words "Cities of Birmingham and Montgomery" where the same appear in the second line of the

title to said bill, and inserting in lieu therefor the following: "City of Birmingham."

And also to amend said House Bill No. 660, as follows: By striking therefrom all of Section 1 thereof, and inserting in lieu thereof the following:

"Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature, to-wit: November, 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the City of Birmingham is authorized to levy and collect under the Constitution as heretofore amended, said city shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one per centum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years)for the purpose or purposes of....." and "Against authorization of additional taxation at rate not to exceed.....per cent for the year (or years) for the purpose or purposes of....." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise

change or affect the rights of any holders of bonds of said municipal corporation heretofore issued. Elections in said municipality to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipality for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self-operative without any additional legislation."

Mr. Goodwyn moved to table the amendment offered by Mr. Sanderson, and the motion to table the amendment of Mr. Sanderson was lost.

Yeas, 30; nays, 38.

Yeas:

Messrs.:

Anderson	Fite	Lee	Norman
Baldwin	Frey	Lovelace	Rogers (Elmore)
Beebe	Goode	Luck	Rogers (Mobile)
Burleson	Goodwyn	Merrill	Sanders (Conecuh)
Carter	Hawkins	Miller (Marengo)	Simpson
Cockrell	Jeter	Molette	Waddell
Denson	Jordan (Etowah)	Mullen	Weldon
Edmundson	Kirkpatrick		

—30

Nays:

Messrs.:

Ashcraft	Guy	Miller (Sumter)	Sanderson
Bartlett	Hampton	Monk	Shivers
Bryant	Hightower	Owens	Starnes
Cannon	Hollis	Parish	Stephens
Cook	Howell	Pegues	Stewart (Calhoun)
Darden	Johnson	Powell	Thompson
Golson	Jones (Cleburne)	Quillin	Tompkins
Green	Lawler	Rankin	Ware
Grove	McAdory	Ringer	Webb
Gullatt	Matthews		

—38

And the amendment offered by Mr. Sanderson was adopted.

Yeas, 42; nays, 26.

Yeas:

Messrs.:

Adcock	Guy	Monk	Starnes
Anderson	Hollis	Nipper	Stephens
Bartlett	Howard	Parish	Stewart (Bibb)
Bryant	Howell	Pegues	Stewart (Calhoun)
Burns	Johnson	Powell	Thompson
Cannon	Jones (Cleburne)	Quillin	Tompkins
Cook	Jordan (Etowah)	Rankin	Ward (Tuscaloosa)
Darden	Lawler	Ringer	Ware
Golson	McAdory	Sanderson	Webb
Grove	Matthews	Shivers	Weldon
Gullatt	Miller (Sumter)		

—42

Nays:

Messrs.:

Ashcraft

Beebe

Burleson

Carter

Denson

Edmundson

Fite

Frey

Goode

Goodwyn

Hawkins

Jeter

Jones (Bullock)

Jordan (Washington)

Lee

Lovelace

Luck

Merrill

Miller (Marengo)

Molette

Mullen

Norman

Rogers (Mobile)

Sanders (Conecuh)

Simpson

Waddell

—26

And the Bill,

H. 660. A Bill to be entitled an Act to propose an Amendment to the Constitution of Alabama authorizing the Cities of Birmingham and Montgomery to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one per centum, which a majority of the qualified electors of said Cities voting at an election called for that purpose may authorize.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature, to-wit, November, 1928. The proposed amendment is to add a new section or clause as follows:

Article XI.

Section 216-A. In addition to the taxes which the Cities of Birmingham and Montgomery are authorized to levy and collect under the Constitution as heretofore amended, each of said cities shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one percentum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of each such city voting at an election called and held at hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed per cent

for the year (or years) _____ for the purpose or purposes of _____” and “Against authorization of additional taxation at rate not to exceed _____ per cent for the year (or years) _____ for the purpose or purposes of _____”. The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of either of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: “Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?” Immediately succeeding the text of the proposed amendment shall be printed the following:

“Yes.....
No.....”

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act,

the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

As amended was read a third time at length and passed.
Yeas, 66; Nays, 2.

Yeas:

Messrs.:

Adcock	Fite	Lawler	Quillin
Allen	Frey	Lee	Ringer
Anderson	Goode	McAdory	Rogers (Elmore)
Ashcraft	Goodwyn	Matthews	Sanders (Pike)
Bartlett	Grove	Merrill	Sanderson
Beebe	Gullatt	Miller (Sumter)	Simpson
Bryant	Guy	Molette	Starnes
Burleson	Hawkins	Monk	Stephens
Burns	Hightower	Moxley	Stewart (Calhoun)
Byars	Hollis	Mullen	Thompson
Cannon	Howell	Nipper	Tompkins
Carter	Jeter	Norman	Ward (Geneva)
Cockrell	Johnson	Owens	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Parish	Ware
Deloney	Jones (Cleburne)	Pegues	Webb
Denson	Jordan (Etowah)	Powell	Weldon
Edmundson	Jordan (Washington)		

—66

Nays:—Messrs. Christian and Cook.—2.

Mr. Simpson moved that the House remain in session until 5:30 o'clock P. M., this afternoon and then recess until 8 o'clock P. M., and at the night session only local bills be considered by the House.

And the motion of Mr. Simpson was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has rescinded its action in adopting the Resolution:

S. J. R. 74. Relative to adjournment of the two Houses until Thursday.

And requests the House to rescind its action in concurring in the above Resolution.

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 75. Resolved by the Senate, the House concurring, that when the two Houses adjourn today they adjourn until Friday, the 5th of August.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall the House acceded to the request of the Senate that the House rescind its action in concurring in and adopting the S. J. R. 75.

And on motion of Mr. Tunstall the House concurred in and adopted the S. J. R. 75 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING.

H. 931. To authorize the Board of Commissioners of the City of Montgomery, Alabama, to vacate and abandon that portion of State Street in the City of Montgomery, Alabama, which has never been opened or used as a street by the public.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Green	Lee	Poole
Beebe	Grove	Lovelace	Powell
Bryant	Gullatt	Luck	Quillin
Burns	Guy	Martin	Rankin
Byars	Harwood	Matthews	Reeder
Cannon	Hawkins	Merrill	Ringer
Carter	Hightower	Molette	Rivers
Cook	Hollis	Monk	St. John
Darden	Howard	Moxley	Sanderson
Deloney	Howell	Mullen	Shivers
Denson	Hubbard	Nipper	Smith
Desear	Hughes	Norman	Starnes
Fite	Jeter	Owens	Ware
Frey	Johnson	Parish	Webb
Golson	Langdon	Pegues	Weldon
Goode	Lawler	Pitts	Winn
Goodwyn			

—65

And on motion of Mr. Goodwyn the Bill, H. 931, was ordered sent forthwith to the Senate without engrossment.

H. 473. To authorize and regulate the organization of fraternal benefit societies into stock life insurance companies or mutual life insurance companies.

Was read a third time at length and passed.

Yeas, 67; nays, 0.

Yeas:

Messrs.:

Adcock	Fite	Jordan (Washington)	Rogers (Elmore)
Allen	Frey	Kirkpatrick	Rogers (Mobile)
Anderson	Goode	Lee	Sanders (Pike)
Ashcraft	Grove	Luck	Sanderson
Baldwin	Gullatt	McAdory	Shivers
Bartlett	Harwood	Matthews	Simpson
Beebe	Hawkins	Merrill	Starnes
Bryant	Hightower	Miller (Sumter)	Stephens
Burns	Hollis	Monk	Stewart (Bibb)
Byars	Howard	Moxley	Tompkins
Cannon	Howell	Parish	Vickers
Carter	Hubbard	Patterson	Waddell
Christian	Hughes	Pegues	Ward (Geneva)
Cockrell	Jeter	Powell	Ward (Tuscaloosa)
Cook	Johnson	Quillin	Webb
Darden	Jones (Bullock)	Rankin	Weldon
Denson	Jordan (Etowah)	Ringer	

—67

And on motion of Mr. Denson the Bill H. 473 was sent forthwith to the Senate without engrossment.

H. 544. To prohibit courts of county commissioners or Boards of Revenue in the State of Alabama, from awarding contracts in which the County of such Commissioners Court or Board of Revenue is interested, to any person related, to any member of such Commissioners court or Board of Revenue, by blood or marriage within the fourth degree, or to employ any such relatives to do any work for said county, and to provide that any warrant issued for work done in violation thereof shall not be a legal charge against the funds of such county, and to provide punishment for the violation thereof.

Was taken up. Mr. Jordan of Washington, offered the following amendment to the Bill:

Amend H. B. 544 by adding at the end of Section 5, the following: This law does not affect Washington County.

Mr. Ward of Tuscaloosa moved to table the amendment offered by Mr. Jordan of Washington and the motion to table the amendment offered by Mr. Jordan of Washington was lost.

Yeas, 34; nays, 37.

Yeas:

Messrs.:

Adcock	Baldwin	Cannon	Cook
Ashcraft	Byars	Christian	Darden

Deloney	Hollis	Monk	Rogers (Mobile)
Edmundson	Howard	Nipper	Sanders (Conecuh)
Fite	Hubbard	Norman	Simpson
Goode	Hughes	Pegues	Starnes
Goodwyn	Jordan (Etowah)	Powell	Thompson
Harwood	Merrill	Rankin	Ward (Tuscaloosa)
Hightower	Molette		—34

*Nays:**Messrs.:*

Bartlett	Hampton	McAdory	Sanders (Pike)
Bryant	Liawkins	Matthews	Sanderson
Burns	Howell	Mullen	Stephens
Carter	Jeter	Parish	Stewart (Calhoun)
Cockrell	Jones (Cleburne)	Pitts	Vickers
Frey	Jordan (Washington)	Poole	Waddell
Golson	Kirkpatrick	Quillin	Ware
Grove	Lee	Ringer	Webb
Gullatt	Lovelace	Rogers (Elmore)	Weldon
Guy			—37

RECESS.

Pending the consideration of the Bill,

H. 544. To prohibit Courts of County Commissioners or Boards of Revenue in the State of Alabama, from awarding contracts in which the County of such Commissioners Court or Board of Revenue is interested, to any person related, to any member of such Commissioners Court or Board of Revenue, by blood or marriage within the fourth degree, or to employ any such relatives to do any work for said county, and to provide that any warrant issued for work done in violation thereof shall not be a legal charge against the funds of such county, and to provide punishment for the violation thereof.

And the amendment offered by Mr. Jordan of Washington, the hour of 5:30 P. M., having arrived, the House, under a motion heretofore adopted, recessed until 8 o'clock tonight.

NIGHT SESSION

The hour of 8 o'clock P. M. having arrived the House reconvened.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill:

H. 626. To alter and rearrange the boundary lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said city certain territory not included therein.

And the President of the Senate has appointed as conferees on the part of the Sneate Messrs. Craft, Teasley and Fite.

J. E. Speight,
Secretary.

BILLS ON THIRD READING.

H. 857. To form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under the constitution and laws of the State of Alabama, or that may be hereafter authorized under any amendment thereof, other than the amendment submitted by this Legislature vaildating this act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate of annual levies shall be one per centum on the value of the taxable property in such districts for a period of twenty (20) years from the date of the vote thereon; for the advancement of said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition to that now allowed to be incurred by such County under the Constitution of Alabama or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act .

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock

Allen

Baldwin

Bartlett

Beebe

Bryant

Burns

Byars

Cannon

Carter

Christian

Cockrell

Cook	Hampton	Molette	Sanders (Pike)
Darden	Harwood	Monk	Sanderson
Deloney	Hawkins	Patterson	Shepherd
Denson	Hollis	Pitts	Tunstall
Edwards	Howard	Poole	Vickers
Fite	Howell	Powell	Waddell
Frey	Hubbard	Quillin	Wallace
Golson	Hughes	Rankin	Ward (Geneva)
Goode	Jeter	Reeder	Ward (Tuscaloosa)
Goodwyn	Johnson	Ringer	Ware
Green	Lawler	Rogers (Mobile)	Webb
Grove	Lee	St. John	Weldon
Gullatt	Merrill	Sanders (Conecuh)	Winn
Guy			

—65

H. 680. To provide that in Calhoun County, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Grove	Morrow	Smith
Ashcraft	Gullatt	Moxley	Starnes
Beebe	Hampton	Mullen	Stephens
Bryant	Harwood	Nipper	Stewart (Bibb)
Burleson	Hawkins	Norman	Stewart (Calhoun)
Cannon	Johnson	Owens	Thompson
Carter	Jordan (Etowah)	Parish	Tompkins
Cook	Jordan (Washington)	Patterson	Tunstall
Darden	Lawler	Pegues	Vickers
Desear	Lee	Pitts	Waddell
Edwards	Lovelace	Rankin	Wallace
Fite	Luck	Reeder	Ward (Geneva)
Frey	McAdory	Ringer	Ware
Golson	Merrill	Rivers	Webb
Goode	Molette	Rogers (Elmore)	Weldon
Goodwyn	Monk	Rogers (Mobile)	Winn
Green			

—65

H. 900. To authorize the conveyance of certain real estate by the State Board of Education of the State of Alabama, to the City of Jacksonville, Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Beebe	Carter	Deloney
Allen	Burleson	Christian	Denson
Anderson	Burns	Cockrell	Desear
Ashcraft	Byars	Cook	Fite
Baldwin	Cannon	Darden	Goode

Goodwyn	Lawler	Nipper	Shepherd
Graves	Lee	Owens	Shivers
Green	Lovelace	Patterson	Simpson
Hampton	Martin	Pitts	Smith
Harwood	Merrill	Quillin	Starnes
Hawkins	Miller (Marengo)	Rankin	Stephens
Hightower	Miller (Sumter)	Reeder	Tunstall
Hubbard	Molette	Ringer	Vickers
Hughes	Monk	Rivers	Waddell
Johnson	Moxley	St. John	Webb
Jones (Clebune)	Mullen	Sanderson	Winn
Langdon			

—65

H. 901. To authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyance thereof by the City authorities of said City, the proceeds of such sale to be used for City School Purposes in said City of Jacksonville, Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Goode	Lee	Reeder
Allen	Goodwyn	Lovelace	Rogers (Mobile)
Anderson	Green	Luck	St. John
Ashcraft	Grove	McAdory	Sanders (Conecuh)
Baldwin	Gullatt	Martin	Sanders (Pike)
Bartlett	Guy	Merrill	Shepherd
Beebe	Howell	Molette	Shivers
Bryant	Hubbard	Monk	Simpson
Burleson	Hughes	Nipper	Smith
Burns	Jeter	Norman	Starnes
Deloney	Jones (Bullock)	Parish	Stephens
Denson	Jones (Clebune)	Patterson	Stewart (Calhoun)
Desear	Jordan (Etowah)	Pegues	Tunstall
Edwards	Kirkpatrick	Pitts	Vickers
Fite	Langdon	Quillin	Waddell
Frey	Lawler	Rankin	Wallace
Golson			

—65

H. 902. To ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis Club of Anniston, Alabama, a copy of which contract is hereto attached and marked "Exhibit A," and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease

or grant the real estate and property described in said contract to said Axis Club.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Allen	Hightower	Nipper	Shepherd
Bartlett	Hollis	Norman	Simpson
Beebe	Howard	Owens	Starnes
Brunson	Howell	Parish	Stephens
Burns	Hubbard	Patterson	Stewart (Bibb)
Byars	Hughes	Pegues	Stewart (Calhoun)
Cannon	Jeter	Pitts	Thompson
Carter	Johnson	Poole	Tompkins
Christian	Jones (Bullock)	Powell	Tunstall
Cockrell	Jones (Cleburne)	Quillin	Vickers
Darden	Jordan (Etowah)	Rankin	Waddell
Edmundson	Jordan (Washington)	Rogers (Elmore)	Wallace
Edwards	Matthews	Rogers (Mobile)	Ward (Geneva)
Goodwyn	Merrill	Sanders (Conecuh)	Ward (Tuscaloosa)
Hampton	Miller (Marengo)	Sanders (Pike)	Weldon
Harwood	Miller (Sumter)	Sanderson	Winn
Hawkins			

—65

H. 903. To amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said Court of County Commissioners of said county; to divide the said County of Calhoun into five districts for the election of members of said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon the said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of County Commissioners, Board of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17, 1923.

Was taken up. Mr. Merrill offered the following amendment to the Bill H. 903.

Amend Bill by making the same read as follows:

After the words, "Approved September 17, 1923, be and the same is hereby amended to read as follows:" in Section 1 of said bill:

Section 6. The several members of said Board of Revenue shall receive as compensation for their services as such members, the sum of Seven Hundred and Fifty Dollars per annum,

such compensation being payable out of the county treasury in twelve monthly installments of Sixty-two and Fifty One-hundredths Dollars (\$62.50) each, upon the warrant of the Chairman of said Board of Revenue, to be issued at the first day of the month.

That each member of said Board of Revenue shall assist the Road Supervisor, if one is appointed or elected, in the supervision of the public roads of his district and in the employment of foremen and laborers required in such district, and in making such other contract as the Road Supervisor may be authorized or required to execute: In the event the office of Road Supervisor is vacant each Commissioner in his respective district shall perform the duties of Road Supervisor, and that for such services, and for all services rendered as members of Board of Revenue of Calhoun County, Alabama, each member of the Board shall receive as ex-officio fees the sum of Five Hundred Dollars (\$500.00) per annum, payable in equal quarterly installments, out of the road funds of the county, at the end of each quarter, upon the warrant of the Chairman of said Board; providing, however, that all acts of the members of the Board of Revenue in their respective districts, and contracts made by them, shall be subject to the approval and ratification of the entire Board of Revenue. No other compensation shall be paid the members of the Board of Revenue for such services as members of such Board of Revenue or Board of Review.

That each member of the Board, before entering on the duties of his office under this act, must give bond with a bonding company, qualified to do business in the State of Alabama, as surety, the Chairman to furnish bond in the sum of five thousand dollars, and each associate member to furnish bond in the sums of two thousand dollars and five hundred dollars (\$2,500.00), conditioned as provided in Section 2959 of the Code of Alabama of 1923, which bond must be approved by the Judge of Probate, and recorded in his office, the premium on each of such bonds to be paid by the principals therein.

Section 2. If any section, clause, provision or portion of this Act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not effect any other section, clause or provision or portion of this Act which is not in and of itself unconstitutional.

Section 3. Be it further enacted that all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

And the amendment offered by Mr. Merrill was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Graves	Luck	Rankin
Allen	Green	Martin	Reeder
Baldwin	Grove	Merrill	Ringer
Bartlett	Gullatt	Molette	Rivers
Beebe	Guy	Monk	Shivers
Bryant	Harwood	Morrow	Simpson
Burns	Hollis	Moxley	Smith
Byars	Howard	Mullen	Starnes
Carter	Howell	Nipper	Stephens
Cook	Hubbard	Owens	Stewart (Calhoun)
Durden	Hughes	Parish	Vickers
Deloney	Jeter	Pegues	Wallace
Denson	Johnson	Pitts	Ware
Desear	Langdon	Poole	Webb
Fite	Lawler	Powell	Weldon
Frey	Lee	Quillin	Winn
Goode			

—65

And the Bill,

H. 903. To amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said court of County Commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon the said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of County Commissioners, Board of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17, 1923.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Denson	Hawkins	Jordan (Etowah)
Ashcraft	Desear	Hightower	Jordan (Washington)
Baldwin	Fite	Hollis	Merrill
Bartlett	Frey	Howard	Miller (Marengo)
Beebe	Golson	Howell	Miller (Sumter)
Brunson	Green	Hubbard	Moxley
Bryant	Grove	Hughes	Mullen
Burleson	Gullatt	Jeter	Nipper
Cannon	Guy	Johnson	Norman
Christian	Hampton	Jones (Bullock)	Owens
Cockrell	Harwood	Jones (Clebune)	Parish

Patterson	Rogers (Elmore)	Starnes	Ward (Tuscaloosa)
Powell	Rogers (Mobile)	Stephens	Ware
Rankin	St. John	Stewart (Calhoun)	Webb
Reeder	Sanders (Conecuh)	Waddell	Weldon
Ringer	Sanders (Pike)	Ward (Geneva)	Winn
Rivers			

—65

H. 859. To provide that in Bibb County, Alabama, the informer shall receive one-fourth of the fine in all cases of conviction for a violation of the prohibition law of Alabama, and to provide for the payment of same in Bibb County, Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Johnson	Patterson	Starnes
Ashcraft	Jones (Bullock)	Quillin	Stephens
Brunson	Jones (Cleburne)	Rankin	Stewart (Bibb)
Bryant	Jordan (Etowah)	Reeder	Stewart (Calhoun)
Byars	Jordan (Washington)	Ringer	Thompson
Cook	Kirkpatrick	Rivers	Tompkins
Darden	Luck	Rogers (Elmore)	Tunstall
Deloney	McAdory	Rogers (Mobile)	Vickers
Denson	Martin	St. John	Waddell
Desear	Matthews	Sanders (Conecuh)	Wallace
Edmundson	Merrill	Sanders (Pike)	Ward (Geneva)
Edwards	Miller (Marengo)	Sanderson	Ward (Tuscaloosa)
Grove	Miller (Sumter)	Shepherd	Ware
Hampton	Molette	Shivers	Webb
Harwood	Nipper	Simpson	Weldon
Hawkins	Norman	Smith	Winn
Jeter			

—65

H. 841. To create in all cities in the State of Alabama, having a population of not less than Fifty Thousand and not more than One Hundred and Fifty Thousand, according to the last or any subsequent Federal census, special funds to be known as "Municipal Employees Pension and Relief Funds"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all Municipal employees in such cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of

office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a Capitol Board of Pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not effect the validity of any other section or provision.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Guy	Nipper	Sanders (Pike)
Dartlett	Hampton	Norman	Sanderson
Beebe	Harwood	Owens	Shepherd
Brunson	Hawkins	Parish	Stephens
Bryant	Hollis	Patterson	Stewart (Calhoun)
Cannon	Howard	Pegues	Thompson
Carter	Howell	Pitts	Tompkins
Christian	Hubbard	Poole	Tunstall
Cockrell	Hughes	Powell	Waddell
Deloney	Jeter	Quillin	Wallace
Denson	Johnson	Rankin	Ward (Geneva)
Edwards	Merrill	Reeder	Ward (Tuscaloosa)
Goode	Miller (Marengo)	Ringer	Ware
Goodwyn	Miller (Sumter)	Rivers	Webb
Green	Molette	Rogers (Elmore)	Weldon
Grove	Monk	Sanders (Conecuh)	Winn
Gullatt			

—65

H. 749. To abolish the Town of Edwardsville, a municipal corporation in Cleburne County, Alabama, and to dissolve the incorporation thereof and to provide for the disposition of the records of said town.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Christian	Goodwyn	Jones (Bullock)
Anderson	Cockrell	Green	Jones (Cleburne)
Ashcraft	Cook	Gullatt	Jordan (Etowah)
Baldwin	Edmundson	Hawkins	Jordarr (Washington)
Burleson	Edwards	Hightower	Kirkpatrick
Carter	Fite	Howard	Langdon

Lawler	Rankin	Shepherd	Tunstall
Lovelace	Reeder	Shivers	Vickers
Merrill	Ringer	Simpson	Waddell
Owens	Rivers	Smith	Wallace
Parish	Rogers (Elmore)	Starnes	Ward (Geneva)
Patterson	Rogers (Mobile)	Stephens	Ward (Tuscaloosa)
Pegues	St. John	Stewart (Bibb)	Ware
Pitts	Sanders (Conecuh)	Stewart (Calhoun)	Webb
Poole	Sanders (Pike)	Thompson	Weldon
Powell	Sanderson	Tompkins	Winn
Quillin			

—65

H. 750. To provide for the election of a recorder in the Town of Heflin, Cleburne County, Alabama, to define the powers of such recorder and to prescribe his duties and jurisdiction.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Allen	Goode	Langdon	Pegues
Ashcraft	Graves	Lawler	Pitts
Baldwin	Green	Lee	Reeder
Beebe	Grove	McAdory	Ringer
Brunson	Gullatt	Matthews	Rivers
Bryant	Hampton	Merrill	Rogers (Elmore)
Burleson	Harwood	Miller (Marengo)	Rogers (Mobile)
Burns	Hawkins	Miller (Sumter)	Sanders (Conecuh)
Christian	Hightower	Morrow	Sanderson
Cockrell	Hubbard	Moxley	Simpson
Cook	Hughes	Mullen	Smith
Darden	Johnson	Nipper	Starnes
Delaney	Jones (Bullock)	Norman	Stephens
Denson	Jones (Cleburne)	Owens	Stewart (Bibb)
Fite	Jordan (Etowah)	Parish	Stewart (Calhoun)
Frey	Jordan (Washington)	Patterson	Tunstall
Golson			

—65

H. 863. To provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama; to provide for the appointment of Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Beebe	Cockrell	Green
Anderson	Brunson	Cook	Grove
Ashcraft	Burleson	Deloney	Gullatt
Baldwin	Byars	Edmundson	Guy
Bartlett	Cannon	Goodwyn	Harwood

Hollis	Merrill	Reeder	Stewart (Bibb)
Hubbard	Miller (Marengo)	Ringer	Stewart (Calhoun)
Hughes	Miller (Sumter)	Rogers (Elmore)	Thompson
Jones (Bullock)	Mullen	Rogers (Mobile)	Tompkins
Jones (Clebune)	Nipper	St. John	Tunstall
Jordan (Etowah)	Norman	Sanders (Conecuh)	Waddell
Jordan (Washington)	Owens	Sanders (Pike)	Ward (Geneva)
Kirkpatrick	Parish	Simpson	Ward (Tuscaloosa)
Langdon	Patterson	Smith	Ware
Lawler	Pegues	Starnes	Weldon
Lovelace	Rankin	Stephens	Winn
Luck			

—65

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and Clerk thereof, and to provide for their compensation.

Was taken up.

Mr. Sanders of Conecuh offered the following amendment to the Bill H. 776:

Amend H. B. No. 776 by substituting "1928" for the figures "1930" where they appear in the last two lines, on page one, Section 2 of the Bill.

And the amendment offered by Mr. Sanders of Conecuh was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Howard	Nipper
Adcock	Darden	Howell	Norman
Allen	Deloney	Hubbard	Owens
Anderson	Denson	Hughes	Parish
Ashcraft	Desear	Jeter	Patterson
Baldwin	Fite	Johnson	Pegues
Bartlett	Frey	Langdon	Pitts
Beebe	Golson	Lawler	Poole
Brunson	Goode	Lee	Powell
Bryant	Goodwyn	Lovelace	Quillin
Burleson	Green	Luck	Rankin
Burns	Grove	Merrill	Reeder
Byars	Gullatt	Monk	Ringer
Cannon	Guy	Morrow	Rivers
Carter	Hawkins	Moxley	Sanders (Conecuh)
Christian	Hollis	Mullen	Sanders (Pike)
Cockrell			

—65

And the Bill,

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Green	Parish	Starnes
Bartlett	Grove	Patterson	Stephens
Beebe	Hubbard	Pegues	Stewart (Bibb)
Brunson	Hughes	Pitts	Stewart (Calhoun)
Burleson	Jeter	Powell	Thompson
Burns	Johnson	Quillin	Tompkins
Byars	McAdory	Rankin	Tunstall
Cockrell	Matthews	Reeder	Vickers
Cook	Merrill	Rogers (Mobile)	Waddell
Darden	Miller (Marengo)	Sanders (Conecuh)	Wallace
Desear	Miller (Sumter)	Sanders (Pike)	Ward (Geneva)
Edmundson	Molette	Sanderson	Ward (Tuscaloosa)
Edwards	Mullen	Shepherd	Ware
Fite	Nipper	Shivers	Webb
Frey	Norman	Simpson	Weldon
Golson	Owens	Smith	Winn
Goodwyn			

—65

H. 646. To amend Sections 1, 2, 3, 4, 5, 23 and 26 of an act entitled "An Act to regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb County, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb County, Alabama. To regulate the public road and bridge affairs of Bibb County, Alabama, to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax for a license tax on all vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof," approved September 19, 1919.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Harwood	Miller (Sumter)	Shepherd
Ashcraft	Hawkins	Morrow	Shivers
Baldwin	Hightower	Moxley	Simpson
Bryant	Hollis	Mullen	Smith
Burleson	Howard	Nipper	Starnes
Cannon	Johnson	Norman	Stephens
Carter	Jones (Bullock)	Owens	Stewart (Bibb)
Christian	Jones (Clebune)	Parish	Stewart (Calhoun)
Denson	Jordan (Etowah)	Patterson	Thompson
Desear	Jordan (Washington)	Ringer	Tompkins
Edmundson	Kirkpatrick	Rivers	Tunstall
Edwards	Langdon	Rogers (Elmore)	Vickers
Golson	McAdory	Rogers (Mobile)	Waddell
Goodwyn	Matthews	Sanders (Conecuh)	Wallace
Gullatt	Merrill	Sanders (Pike)	Ward (Geneva)
Guy	Miller (Marengo)	Sanderson	Ward (Tuscaloosa)
Hampton			

—65

H. 778. To authorize and empower the Town Council of the Town of Brantley, Alabama, to widen, extend or elongate, vacate, annul, shorten, narrow or alter in any proper manner any street, avenue, alley or other public place in said Town and County and convey such portion of any street, avenue, alley or other public place so vacated, annuled, shortened or narrowed, to the adjacent landowners, to the best interest of the citizens of said town and to give authority to either purchase or condemn space required to widen, elongate or extend any street, alley, avenue or other public place, under this Act.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lawler	Shepherd
Adcock	Golson	Lee	Shivers
Allen	Goode	Luck	Simpson
Ashcraft	Goodwyn	McAdory	Smith
Baldwin	Green	Martin	Starnes
Bartlett	Grove	Matthews	Stephens
Beebe	Gullatt	Merrill	Thompson
Brunson	Guy	Moxley	Tompkins
Bryant	Hollis	Mullen	Tunstall
Burns	Howard	Owens	Vickers
Byars	Howell	Parish	Waddell
Cannon	Hughes	Pegues	Wallace
Carter	Jeter	Pitts	Ware
Christian	Johnson	Poole	Webb
Cook	Kirkpatrick	Powell	Weldon
Darden	Langdon	Sanderson	Winn
Fite			

—65

H. 798. To enlarge the duties now imposed by law on the Board of County Commissioners or County Board of Revenue of Crenshaw County, to authorize such board as now constituted or as hereafter may be constituted to become the sole purchasing agent for the County of Crenshaw of all road machinery, tools, implements, books, blanks, office furniture, fixtures, stationery or any and all articles and things which may be required by law to be purchased for or by the county, and to provide the manner and procedure of such purchases and to fix a penalty for failure to comply with this act.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Lee	Sanders (Conecuh)
Adcock	Fite	Merrill	Sanders (Pike)
Allen	Frey	Miller (Marengo)	Sanderson
Anderson	Golson	Miller (Sumter)	Shepherd
Ashcraft	Goode	Molette	Shivers
Baldwin	Goodwyn	Monk	Simpson
Bartlett	Green	Morrow	Smith
Beebe	Grove	Moxley	Starnes
Burns	Gullatt	Owens	Stephens
Byars	Guy	Parish	Stewart (Calhoun)
Cockrell	Hollis	Patterson	Thompson
Cook	Howard	Rankin	Tunstall
Darden	Howell	Reeder	Vickers
Deloney	Johnson	Ringer	Ward (Tuscaloosa)
Denson	Langdon	Rogers (Mobile)	Ware
Desear	Lawler	St. John	Webb
Edmundson			

—65

H. 896. To authorize and require the treasurer of Crenshaw County, Alabama, or the custodian of funds of said County annually after having first paid interest due on the bonded indebtedness of the County out of the road and bridge fund as derived from the ad valorem taxes, to set aside the remainder of said road and bridge fund for the purpose of paying old road and bridge warrants of the County, and to prescribe the order in which such warrants are to be paid.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Darden	Fite	Grove
Allen	Deloney	Frey	Harwood
Beebe	Denson	Golson	Hawkins
Brunson	Desear	Goode	Hightower
Bryant	Edmundson	Goodwyn	Jeter
Cook	Edwards	Green	Johnson

Jones (Bullock)	Molette	Pegues	St. John
Jones (Cleburne)	Monk	Pitts	Shivers
Langdon	Morrow	Poole	Simpson
Lawler	Moxley	Powell	Smith
Lee	Mullen	Quillin	Starnes
Lovelace	Nipper	Rankin	Stephens
Luck	Norman	Reeder	Vickers
McAdory	Owens	Ringer	Waddell
Martin	Parish	Rivers	Wallace
Matthews	Patterson	Rogers (Mobile)	Winn
Merrill			

—65

S. 276. To vacate and close as a public highway or street that portion of Lee Street in the City of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama Avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama Avenue with the east margin of Lee Street and running thence westwardly along the north margin of Alabama Avenue thirty-five feet and extending northwardly with that uniform width to where said Lee Street strikes the section line: (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee Street as now or formerly laid out.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Golson	Lovelace	Quillin
Allen	Green	Luck	Reeder
Beebe	Grove	McAdory	Ringer
Brunson	Gullatt	Martin	Shepherd
Bryant	Guy	Matthews	Shivers
Burleson	Harwood	Merrill	Simpson
Burns	Hollis	Miller (Marengo)	Smith
Byars	Howard	Miller (Sumter)	Starnes
Cannon	Howell	Molette	Thompson
Carter	Hubbard	Monk	Tompkins
Cook	Hughes	Morrow	Tunstall
Darden	Jeter	Owens	Waddell
Deloney	Johnson	Parish	Wallace
Denson	Kirkpatrick	Pegues	Ware
Edwards	Lawler	Poole	Webb
Fite	Lee	Powell	Winn
Frey			

—65

S. 365. To authorize the court of county revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that com-

munity for the construction of a road or highway from Red Bay south in Franklin County.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Goode	Moxley	Starnes
Ashcraft	Green	Mullen	Stephens
Baldwin	Grove	Nipper	Stewart (Bibb)
Bartlett	Gullatt	Parish	Stewart (Calhoun)
Beebe	Guy	Patterson	Thompson
Burns	Hollis	Pitts	Tompkins
Cockrell	Lee	Poole	Tunstall
Cook	Lovelace	Powell	Vickers
Darden	Luck	Quillin	Waddell
Deloney	McAdory	St. John	Wallace
Denson	Martin	Sanders (Pike)	Ward (Geneva)
Desear	Merrill	Sanderson	Ward (Tuscaloosa)
Edmundson	Miller (Sumter)	Shepherd	Ware
Edwards	Molette	Shivers	Webb
Fite	Monk	Simpson	Weldon
Frey	Morrow	Smith	Winn
Golson			

—65

H. 921. To amend Section 6717 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Goode	Lovelace	Rankin
Anderson	Goodwyn	Luck	Reeder
Baldwin	Green	McAdory	Ringer
Bartlett	Grove	Martin	Rivers
Beebe	Harwood	Merrill	Rogers (Elmore)
Brunson	Hawkins	Miller (Marengo)	Rogers (Mobile)
Burleson	Hubbard	Miller (Sumter)	Sanders (Conecuh)
Cannon	Hughes	Norman	Sanders (Pike)
Carter	Jeter	Owens	Sanderson
Cockrell	Johnson	Parish	Shepherd
Cook	Jones (Bullock)	Patterson	Thompson
Darden	Jones (Cleburne)	Pegues	Tompkins
Deloney	Jordan (Etowah)	Pitts	Tunstall
Edwards	Jordan (Washington)	Poole	Vickers
Fite	Kirkpatrick	Powell	Ward (Tuscaloosa)
Frey	Lee	Quillin	Winn
Golson			

—65

H. 37. To prescribe the qualifications, duties and compensation of coroners in counties of this State of two hundred thousand inhabitants or more according to the last Federal census or any subsequent Federal census who may be hereafter elected and to provide for a deputy or an assistant coroner and to define

and prescribe the powers and duties of such deputy or assistant and to provide for the employment of a competent physician at any inquest held by such coroner, or such deputy or such assistant, and to define and prescribe his duties and to fix his compensation and to provide for the employment of stenographer by such coroners.

Was read a third time at length and passed.

Yeas, 37; nays, 17.

Yeas:

Messrs.:			
Adcock	Edwards	Jordan (Washington)	Reeder
Allen	Frey	Kirkpatrick	Sanderson
Anderson	Goode	McAdory	Shepherd
Baldwin	Gullatt	Merrill	Stewart (Calhoun)
Bartlett	Harwood	Miller (Marengo)	Tompkins
Beebe	Hawkins	Nipper	Tunstall
Brunson	Hightower	Parish	Ward (Tuscaloosa)
Bryant	Hughes	Pegues	Ware
Darden	Jeter	Pitts	Webb
Deloney			

—37

Nays:

Messrs.:			
Burleson	Goodwyn	Matthews	Simpson
Byars	Grove	Moxley	Stephens
Cannon	Hollis	Quillin	Tompkins
Cook	Hubbard	Rogers (Mobile)	Vickers
Edmundson			

—17

S. 315. To amend Section 16 of an Act approved September 25, 1915, entitled "An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal Census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act;" as amended by an Act approved August 15, 1923, entitled: An Act "To amend an Act approved September 25th, 1915; entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the

provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act; and to provide for the going into effect of the various sections of said Act as amended."

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Anderson	Harwood	Mollette	Shivers
Ashcraft	Hawkins	Moxley	Stephens
Baldwin	Hightower	Norman	Stewart (Bibb)
Bryant	Hollis	Owens	Stewart (Calhoun)
Burleson	Howard	Parish	Thompson
Carter	Howell	Poole	Tompkins
Christian	Hubbard	Powell	Tunstall
Cockrell	Jones (Bullock)	Rankin	Vickers
Cook	Jones (Cleburne)	Reeder	Waddell
Darden	Jordan (Etowah)	Rogers (Elmore)	Wallace
Deloney	Jordan (Washington)	Rogers (Mobile)	Ward (Geneva)
Denson	Kirkpatrick	St. John	Ward (Tuscaloosa)
Edmundson	Lawler	Sanders (Conecuh)	Ware
Golson	Merrill	Sanders (Pike)	Webb
Goode	Miller (Marengo)	Sanderson	Weldon
Goodwyn	Miller (Sumter)	Shepherd	Winn
Gullatt			

—65

H. 694. To alter and rearrange the boundaries of the Town of Home wood, a municipal corporation, in Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas, 52; nays, 5.

Yeas:

Messrs.:

Adcock	Edmundson	Jordan (Washington)	Sanders (Conecuh)
Allen	Frey	Kirkpatrick	Sanders (Pike)
Anderson	Goode	McAdory	Sanderson
Baldwin	Goodwyn	Matthews	Simpson
Beebe	Grove	Merrill	Stephens
Brunson	Gullatt	Miller (Marengo)	Stewart (Bibb)
Bryant	Harwood	Moxley	Stewart (Calhoun)
Burleson	Hawkins	Nipper	Thompson
Byars	Hollis	Parish	Tompkins
Christian	Hubbard	Pegues	Vickers
Cook	Hughes	Pitts	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Ringer	Ware
Deloney	Jordan (Etowah)	Rogers (Mobile)	Webb

—52

Nays:

Messrs.:

Bartlett
Cannon

Hightower

Jeter

Quillin

—5

H. 756. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native or wild in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to wilfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub or plant is situated.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker

Beebe

Brunson

Bryant

Burleson

Burns

Christian

Cockrell

Cook

Darden

Edmundson

Frey

Goode

Goodwyn

Grove

Gullatt

Guy

Hawkins

Hightower

Jeter

Johnson

Jones (Bullock)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Lee

Lovelace

McAdory

Merrill

Miller (Marengo)

Miller (Sumter)

Morrow

Owens

Parish

Poole

Powell

Quillin

Rankin

Reeder

Ringer

Rivers

Rogers (Elmore)

Rogers (Mobile)

St. John

Sanders (Conecuh)

Shepherd

Shivers

Simpson

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Tompson

Tompkins

Tunstall

Vickers

Waddell

Wallace

Ward (Geneva)

Ward (Tuscaloosa)

Ware

Webb

Weldon

Winn

—65

S. 334. To make it the duty of the clerk of the circuit court of Lamar County, Alabama, as ex-officio clerk of the county court, to record the proceedings and write up the minutes of the county court and to provide for compensation of the same.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Lovelace	Rogers (Mobile)
Anderson	Golson	Luck	St. John
Ashcraft	Graves	McAdory	Sanders (Conecuh)
Baldwin	Green	Miller (Marengo)	Sanders (Pike)
Bartlett	Hampton	Monk	Sanderson
Beebe	Harwood	Moxley	Shepherd
Burns	Hawkins	Nipper	Shivers
Byars	Hightower	Owens	Simpson
Cannon	Hollis	Parish	Smith
Carter	Howard	Patterson	Starnes
Christian	Hubbard	Pegues	Stephens
Cockrell	Hughes	Pitts	Stewart (Bibb)
Cook	Kirkpatrick	Quillin	Stewart (Calhoun)
Darden	Langdon	Ringer	Tompkins
Edmundson	Lawler	Rivers	Tunstall
Edwards	Lee	Rogers (Elmore)	Vickers
Fite			

—65

H. 762. To amend Section 3 of an act approved September 3rd, 1919, entitled an act "To establish a Board of Revenue for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and to fix his duties and powers; and to fix their compensation: to divide the County of Russell into five (5) Board of Revenue Districts and abolish the Court of County Commissioners and repeal all conflicting laws, general, local and special."

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	Langdon	Patterson
Allen	Graves	Luck	Pegues
Anderson	Grove	McAdory	Pitts
Ashcraft	Gullatt	Martin	Poole
Baldwin	Guy	Matthews	Powell
Bartlett	Hampton	Merrill	Quillin
Beebe	Harwood	Miller (Marengo)	Rankin
Christian	Hawkins	Miller (Sumter)	Reeder
Cockrell	Hightower	Molette	Rivers
Cook	Jeter	Monk	Smith
Darden	Johnson	Morrow	Waddell
Deloney	Jones (Bullock)	Moxley	Wallace
Denson	Jones (Cleburne)	Mullen	Ware
Desear	Jordan (Etowah)	Norman	Webb
Edmundson	Jordan (Washington)	Owens	Weldon
Edwards	Kirkpatrick	Parish	Winn
Goode			

—65

S. 371. To amend sections 6, 8, and 11 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and

for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Allen	Grove	Merrill	Simpson
Ashcraft	Gullatt	Miller (Marengo)	Smith
Baldwin	Guy	Molette	Starnes
Bartlett	Hawkins	Monk	Stephens
Beebe	Hightower	Morrow	Tompkins
Burns	Hollis	Owens	Tunstall
Byars	Jeter	Parish	Vickers
Cannon	Johnson	Powell	Waddell
Cook	Langdon	Quillin	Wallace
Darden	Lawler	Rankin	Ward (Geneva)
Edmundson	Lee	Reeder	Ward (Tuscaloosa)
Fite	Lovelace	Ringer	Ware
Frey	Luck	Rogers (Mobile)	Webb
Golson	McAdory	St. John	Weldon
Goode	Martin	Shepherd	Winn
Goodwyn	Matthews	Shivers	
Green			

—65

S. 372. To further amend an Act of the Legislature of Alabama entitled "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Adcock	Golson	Lovelace	Rankin
Allen	Goode	Luck	St. John
Anderson	Goodwyn	McAdory	Sanders (Conecuh)
Beebe	Green	Martin	Shivers
Brunson	Grove	Matthews	Simpson
Bryant	Gullatt	Merrill	Smith
Carter	Guy	Miller (Marengo)	Starnes
Christian	Hollis	Miller (Sumter)	Stephens
Cockrell	Howard	Molette	Tunstall
Cook	Howell	Monk	Vickers
Darden	Hubbard	Patterson	Waddell
Deloney	Hughes	Pegues	Wallace
Denson	Jeter	Pitts	Ware
Desear	Johnson	Poole	Webb
Edwards	Lawler	Powell	Weldon
Fite	Lee	Quillin	Winn
Frey			

—65

S. 376. To authorize Mobile County, in this State, to increase its indebtedness for the purpose of constructing concrete or bet-

ter than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile County to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile County to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election, and regulating the sale of such bonds and the use of the proceeds of such sale, and repealing all Acts in conflict with this Act.

Was taken up. Mr. Rogers of Mobile, offered the following amendment to the Bill S. 376:

AMEND SENATE BILL NO. 376 AS FOLLOWS:

Amend Senate Bill No. 376 by striking from the caption the following words, viz: "and a way for vehicular traffic between Mobile and Baldwin Counties," where said words appear in said caption in lines 4 and 5,

Amend Section 7 by striking out the word "concrete" as the same appears in the 4th line on page 4, and inserting in lieu thereof the word "concrete."

Amend Section 7 by striking out the comma after the word "Portland" in subdivision (f) of said Section 7, being in the 14th line on page 4.

Amend Section 8 by inserting after the words, "United States of America" and before the words "and the State of Alabama," in line 1 on page 5, the following words: "for the State of Alabama, or both the United States of America."

Amend Section 10 by striking out the word "consulting" where the same appears before the word "engineer" in the 5th line on page 6.

Amend Section 11 by striking out the figure "4," where the same appears at the beginning of the 7th line of subdivision 9 of Section 11 of said Act, being the 24th line on page 7, so that the same shall read "5."

Amend page 7 of said Act by inserting before the words "each such resolution," at the beginning of the 26th line on page 7, the words "Section 12."

Amend Section 13 by striking out the figure "8" and inserting in lieu thereof the figure "9" where said figure "8" appears in Section 13, being the 22nd and 27th lines on page 8.

Amend Section 15 by striking out the figure "8," and inserting the figure "9" in lieu thereof, where the same appears in Section 15, being in the third line from the bottom of page 10.

Amend Section 20 by striking out the word "hereinabove" in the last line of said section (being the 10th line on page 12), and inserting in lieu thereof the word "hereinafter."

Amend Section 21 by inserting after the words "Circuit Solicitor of said County" and before the words "and the county shall be contestee," the following words "and said solicitor shall respond in the name of the county," said insertion being between lines 15 and 16 on page 12.

Amend Section 23 by striking out the words "excluding, however, any tax levied under the provisions of the Constitution of the State of Alabama," where said words appear in said section, being in the 11th and 12th lines on page 13.

Amend Section 23 by striking out the figure "4" and inserting in lieu thereof the figure "5," where the figure "4" appears in said Section 23, being in line 29 on page 13.

Amend Section 24 by striking out the word "due," where the same appears in the last line of said section, and inserting in lieu thereof the word "dues," being on the 6th line of page 14 of said Act.

Amend Section 27 by striking out the word "treasure" and inserting in lieu thereof the word "treasurer" in Section 27, 6th line from the bottom of page 14.

Strike out the figure "28" after the word "Section" in the second line on page 16, and insert in lieu thereof the figure "30," so that the words "Section 28," in the 2nd line on page 16 will be changed to read "Section 30."

Strike out the figure "10" where the same appears in the 12th line on page 16, and insert in lieu thereof the figure "12."

Strike out the figure "29" after the word "Section" in the 21st line on page 16, and insert in lieu thereof the figure "31," so that the words "Section 29" in the 21st line on page 16 will be changed to read "Section 31."

Strike out the figure "30" after the word "Section" in the 26th line on page 16, and insert in lieu thereof the figure "32," so that the words "Section 30" in the 26th line on page 16 will be changed to read "Section 32."

Strike out the word "consulting," where the same appears in the 5th line from the bottom of page 16.

Strike out the figure "9" and insert in lieu thereof the figure "10" after the word "Section" in the 4th line from the bottom of page 16.

Strike out the figure "31" after the word "Section" in the 3rd line from the bottom of page 16, and insert in lieu thereof the figure "33," so that the words "Section 31" in the 3rd line from the bottom of page 16 will be changed to read "Section 33."

Strike out the figure "32" after the word "Section" in the 2nd line on page 17, and insert in lieu thereof the figure "34," so that the words "Section 32" in the 2nd line on page 17 will be changed to read "Section 34."

Strike out the word "of" where the same appears at the end of the 6th line on page 17 and insert in lieu thereof the word "or."

Strike out the word "and" where the same appears in the 21st line on page 17, and insert in lieu thereof the word "are."

Amend Section 7 by inserting at the end of subdivision (c), at the end of the 8th line on page 4, the following words: "or rock asphalt paving."

Amend Section 7 by inserting at the end of subdivision (d), at the end of the 9th line on page 4, the following words: "or any combination of asphaltic concrete and rock asphalt."

And the amendment offered by Mr. Rogers of Mobile was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Baldwin
Bartlett
Beebe
Brunson
Bryant
Burleson
Burns
Cook
Darden
Deloney
Denson
Fite
Frey
Golson
Goode
Goodwyn
Grove

Gullatt
Guy
Hampton
Harwood
Hollis
Howard
Howell
Hubbard
Hughes
Jeter
Langdon
Lawler
Lee
Merrill
Miller (Marengo)
Miller (Sumter)

Molette
Monk
Mullen
Nipper
Norman
Owens
Parish
Pitts
Poole
Powell
Quillin
Rankin
Reeder
Ringer
Rogers (Mobile)
St. John

Shivers
Simpson
Smith
Starnes
Stephens
Tompkins
Tunstall
Vickers
Waddell
Wallace
Ward (Geneva)
Ward (Tuscaloosa)
Ware
Webb
Weldon
Winn

—65

And the Bill,

S. 376. To authorize Mobile County, in this State, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile County to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile County to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results

of such election, and regulating the sale of such bonds and the use of the proceeds of such sale, and repealing all Acts in conflict with this Act.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	McAdory	St. John
Adcock	Green	Martin	Shivers
Allen	Grove	Matthews	Simpson
Beebe	Gul'att	Merrill	Smith
Brunson	Guy	Miller (Marengo)	Starnes
Bryant	Hollis	Miller (Sumter)	Tompkins
Burns	Howard	Molette	Tunstall
Byars	Howell	Monk	Vickers
Cannon	Hubbard	Mullen	Waddell
Carter	Hughes	Nipper	Wallace
Christian	Jeter	Norman	Ward (Geneva)
Cook	Johnson	Pegues	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Pitts	Ware
Fite	Lee	Poole	Webb
Frey	Lovelace	Powell	Weldon
Golson	Luck	Rogers (Mobile)	Winn
Goode			

—65

H. 810. To amend Section 11 of, "an Act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8, 1911.

Was taken up. Mr. Vickers offered the following amendment to the Bill H. 810:

Amend H. B. 810 by adding at the end thereof the following section: Section 2. This Act shall take effect January 1st, 1928.

And the amendment offered by Mr. Vickers was adopted.

Yeas, 65; nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Fite	Jordan (Etowah)	Ringer
Adcock	Frey	Langdon	Rivers
Allen	Golson	Lawler	Rogers (Mobile)
Anderson	Graves	Luck	St. John
Ashcraft	Green	Merrill	Sanders (Conecuh)
Beebe	Grove	Miller (Marengo)	Sanders (Pike)
Brunson	Gullatt	Molette	Smith
Bryant	Guy	Monk	Starnes
Burns	Hampton	Morrow	Stewart (Bibb)
Byars	Hawkins	Moxley	Stewart (Calhoun)
Christian	Hollis	Mullen	Vickers
Cockrell	Howard	Parish	Waddell
Cook	Howell	Patterson	Ward (Geneva)
Denson	Jeter	Pegues	Ward (Tuscaloosa)
Desear	Johnson	Pitts	Ware
Edmundson	Jones (Bullock)	Reeder	Webb
Edwards			

—65

And the Bill,

H. 810. To amend section 11 of "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8, 1911.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Denson	Guy	Lovelace
Adcock	Desear	Howard	Luck
Allen	Fite	Howell	McAdory
Beebe	Frey	Hubbard	Martin
Brunson	Golson	Jeter	Matthews
Burns	Goode	Johnson	Merrill
Byars	Goodwyn	Jones (Cleburne)	Miller (Sumter)
Cook	Green	Jordan (Washington)	Molette
Darden	Grove	Lawler	Monk
Deloney	Gullatt	Lee	Morrow

Patterson	Sanderson	Stephens	Ward (Geneva)
Pegues	Shepherd	Stewart (Bibb)	Ward (Tuscaloosa)
Pitts	Shivers	Tunstall	Ware
Poole	Simpson	Vickers	Webb
Rogers (Mobile)	Smith	Waddell	Weldon
St. John	Starnes	Wallace	Winn
Sanders (Pike)			

—65

H. 459. To amend Section 1464 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Allen	Gullatt	Matthews	Shivers
Baldwin	Harwood	Merrill	Simpson
Bartlett	Hawkins	Miller (Marengo)	Starnes
Bryant	Hightower	Miller (Sumter)	Stewart (Bibb)
Byars	Howard	Moxley	Stewart (Calhoun)
Carter	Howell	Nipper	Thompson
Christian	Hughes	Owens	Tompkins
Cockrell	Jeter	Parish	Tunstall
Denson	Johnson	Rankin	Vickers
Desear	Jones (Cleburne)	Ringer	Wallace
Edmundson	Jordan (Etowah)	Rogers (Elmore)	Ward (Geneva)
Edwards	Jordan (Washington)	Rogers (Mobile)	Ward (Tuscaloosa)
Frey	Kirkpatrick	Sanders (Concuh)	Ware
Goode	Lee	Sanders (Pike)	Webb
Goodwyn	Lovlace	Sanderson	Weldon
Green	McAdory	Shepherd	Winn
Grove			

—65

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

Was taken up. Mr. Jordan of Washington, offered the following amendment to the Bill, H. 915:

AMEND HOUSE BILL NO. 915.

To amend said bill, Section 3, as follows: After amending Section 3, shall read as follows: "That in addition to their duties as the Court of County Commissioners the said Commissioners shall, at the next meeting of the Commissioners Court following the passage and approval of this Act, elect a Road Superintendent for the county. Any member of the said Commissioners Court may be elected as Road Superintendent if

qualified to perform the required duties thereof; or any other person so qualified, may be elected as Road Superintendent by the said County Commissioners, if in their judgment they may deem it wise. Nothing in Section 3, shall be construed to mean that a civil engineer shall be employed as Road Superintendent, but the person so employed shall have a practical knowledge of road construction and maintenance, and satisfactory to the Court of County Commissioners."

To amend Section 4, as follows: Just after the words "for cause" and just before the words "by order entered," insert the following: "or when his services have proven unsatisfactory to said court."

To amend Section 8, of said bill, as follows: beginning just after the words "shall be paid any" and just before the words "by warrant drawn" striking out the following words "properly approved by the Road Superintendent" and insert in lieu thereof the following: "When properly itemized and sworn to by the claimant, approved by the Road Superintendent and audited and approved by the Court of County Commissioners or Road Supervisors."

And the amendment offered by Mr. Jordan of Washington was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Kirkpatrick	Rivers
Adcock	Golson	Lee	Shivers
Allen	Goode	Lovelace	Simpson
Anderson	Goodwyn	Luck	Smith
Beebe	Green	Merrill	Starnes
Brunson	Grove	Miller (Marengo)	Tompkins
Bryant	Gullatt	Miller (Sumter)	Tunstall
Burns	Guy	Molette	Vickers
Byars	Hollis	Monk	Waddell
Cannon	Howard	Parish	Wallace
Carter	Howell	Patterson	Ward (Geneva)
Cook	Hubbard	Powell	Ward (Tuscaloosa)
Darden	Hughes	Quillin	Ware
Deloney	Jeter	Rankin	Webb
Denson	Johnson	Reeder	Weldon
Desear	Jordan (Washington)	Ringer	Winn
Fite			

—65

And the bill:

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix

their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

As amended was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Lovelace	Pitts
Adcock	Green	Luck	Poole
Allen	Grove	McAdory	Powell
Beebe	Gullatt	Martin	Quillin
Brunson	Guy	Matthews	Rogers (Elmore)
Bryant	Hampton	Merrill	Shivers
Burns	Hawkins	Monk	Simpson
Byars	Hollis	Morrow	Smith
Carter	Howard	Moxley	Starnes
Christian	Howell	Mullen	Vickers
Denson	Jeter	Nipper	Waddell
Desear	Johnson	Norman	Wallace
Edwards	Jordan (Etowah)	Owens	Ware
Fite	Jordan (Washington)	Parish	Webb
Frey	Lawler	Patterson	Weldon
Golson	Lee	Pegues	Winn
Goode			

—65

H. 916. To repeal an act entitled an act to better improve the public roads of Washington County, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington County, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burleson	Graves	Jones (Cleburne)
Adcock	Burns	Green	Jordan (Etowah)
Allen	Byars	Grove	Jordan (Washington)
Anderson	Carter	Gullatt	Kirkpatrick
Ashcraft	Darden	Guy	Lawler
Baldwin	Deloney	Hightower	Lee
Bartlett	Denson	Hollis	Lovelace
Beebe	Desear	Howard	Luck
Brunson	Golson	Howell	McAdory
Bryant	Goode	Jones (Bullock)	Martin

Matthews	Patterson	Thompson	Ward (Geneva)
Merrill	Pegues	Tompkins	Ward (Tuscaloosa)
Miller (Marengo)	Pitts	Tunstall	Ware
Molette	Poole	Vickers	Webb
Mullen	Powell	Waddell	Weldon
Nipper	Stewart (Calhoun)	Wallace	Winn
Parish			

—65

H. 822. To amend Section 15 of an Act approved April 8th, 1911 and entitled "An Act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government."

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lee	Shivers
Adcock	Goode	Lovelace	Smith
Allen	Goodwyn	Luck	Starnes
Anderson	Green	Merrill	Stephens
Beebe	Grove	Miller (Marengo)	Thompson
Brunson	Gullatt	Molette	Tompkins
Bryant	Giv	Monk	Tunstall
Burleson	Hollis	Morrow	Vickers
Cook	Howard	Parish	Waddell
Darden	Howell	Patterson	Wallace
Deloney	Jeter	Powell	Ward (Geneva)
Denson	Johnson	Quillin	Ward (Tuscaloosa)
Desear	Jones (Bullock)	Rogers (Elmore)	Ware
Edmundson	Jones (Clebune)	Rogers (Mobile)	Webb
Edwards	Langdon	Sanderson	Weldon
Fite	Lawl r	Shepherd	Winn
Frey			

—65

H. 401. To change the ntme of the office of State Fire Marshal to the "Department of State Fire Prevention;" the directing head shall be known as the State Fire Commissioner and his

assistants shall be known as Deputy Fire Commissioners and provide that existing laws or laws hereafter enacted apply accordingly.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lovelace	Rivers
Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Green	Martin	Shivers
Ashcraft	Grove	Miller (Marengo)	Simpson
Baldwin	Gullatt	Miller (Sumter)	Smith
Bartlett	Guy	Molette	Tunstall
Beebe	Hollis	Monk	Vickers
Burns	Howard	Nipper	Waddell
Byars	Howell	Norman	Wallace
Cannon	Hubbard	Owens	Ward (Geneva)
Carter	Hughes	Pitts	Ward (Tuscaloosa)
Christian	Jeter	Poole	Ware
Cockrell	Johnson	Powell	Webb
Cook	Jordan (Etowah)	Reeder	Weldon
Fite	Lee	Ringer	Winn
Frey			

—65

RECOMMITTAL OF BILLS.

On motion of Mr. Frey the Bill,

By Mr. Frey (By request):

H. 536. To provide for the purchase of Rayburn's Alabama Jury Charges for the use of members of the Supreme Court, Court of Appeals, Circuit Judges, and Circuit Solicitors of the State of Alabama.

Was recommitted to the Standing Committee on Appropriations.

And on motion of Mr. Harwood the Bill,

By Mr. Harwood:

H. 1008. To amend Sections 3023, 3024, and 3025, of the Code of Alabama.

Was recommitted to the Standing Committee on Judiciary.

And on motion of Mr. Sanders of Conecuh, the Bill,

H. 865. To amend Section 3802 of the Code of Alabama was recommitted to the Standing Committee on Revision of Laws.

On motion of Mr. Grove all House Bills passed at the night session of the House were ordered sent forthwith to the Senate without engrossment.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 3:25 P. M. on Aug. 2, 1927.

H. 649, H. 707, H. 11, H. 566, H. 429, H. 713, H. 547, H. 781, H. 557, H. 670, H. J. R. 93.

J. H. Stewart,
Clerk.

ADJOURNMENT.

On motion of Mr. Goode the House in accordance with a Senate Joint Resolution heretofore adopted, adjourned until Friday, August 5th, 1927, at 10:00 o'clock A. M.

FORTIETH DAY

House of Representatives,
Montgomery, Alabama.
Friday, August 5th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:

Mr. Speaker	Byars	Fite	Hawkins
Adcock	Cannon	Frey	Hightower
Allen	Carter	Golson	Hollis
Anderson	Christian	Goode	Howard
Ashcraft	Cockrell	Goodwyn	Howell
Baldwin	Cook	Graves	Hubbard
Bartlett	Darden	Green	Hughes
Beebe	Deloney	Grove	Jeter
Brunson	Denson	Gullatt	Johnson
Bryant	Desear	Guy	Jones (Bullock)
Burleson	Edmundson	Hampton	Jones (Cleburne)
Burns	Edwards	Harwood	Jordan (Etowah)

Jordan (Washington)	Morrow	Ringer	Stewart (Bibb)
Kirkpatrick	Moxley	Rivers	Stewart (Calhoun)
Langdon	Mullen	Rogers (Elmore)	Thompson
Lawler	Nipper	Rogers (Mobile)	Tompkins
Lee	Norman	St. John	Tunstall
Lovelace	Owens	Sanders (Conecuh)	Vickers
Luck	Parish	Sanders (Pike)	Waddell
McAdory	Patterson	Sanderson	Wallace
Martin	Pegues	Shepherd	Ward (Geneva)
Matthews	Pitts	Shivers	Ward (Tuscaloosa)
Merrill	Poole	Simpson	Ware
Miller (Marengo)	Powell	Smith	Webb
Miller (Sumter)	Quillin	Starnes	Weldon
Molette	Rankin	Stephens	Winn
Monk	Reeder		

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 39th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 39th legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities, or like governing bodies; to provide authority and empower the board of administration to make agreements and

contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission, in the matter of such regulation; and providing penal offenses concerning the matter of such regulations; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll, bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this Act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this Act, except such laws pertaining to revenue.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Poole the House non-concurred in the Senate amendment to the Bill H. 391. Said Senate amendment being as follows:

AMENDMENT TO H. 391 BY THE COMMITTEE ON FINANCE AND TAXATION

Amend House Bill 391 by striking from the caption or title thereof the following words: "To regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission in the matter of such regulation and providing penal offenses concerning the matter of such regulations."

Further amend House Bill 391 by striking from the Bill all of Article 111, as contained therein, beginning with section 108 of the bill, to and including section 156, of said bill.

Further amend House Bill 391, section 3, by striking out the words, "the governor may remove any member of the Highway Commission for dereliction of duty, malfeasance or misfeasance

in office", and inserting in lieu thereof the following, "The governor may remove any member as is now provided for by law for the removal of appointive officers by the governor.

Further amend House Bill 391, section 51, subsection (e) as follows, by striking out the words "at hard labor" where ever the words appear in subdivision (e) of this section.

Further amend House Bill 391, section 70, subdivision (e) by adding after the words "such position", the following words, "Provided however that this subdivision is subject to all provisions of section 97 of this article."

Further amend House Bill 391, section 77, subdivision (b), as follows: by striking out the last three words of this subdivision "doing business therein", and inserting in lieu thereof the following, beginning just after the words "privilege of" the words "maintaining or operating a terminal station, depot, or waiting room therein."

Further amend House Bill 391, section 95, subdivision (f), by adding to this subdivision the following: "provided that this section shall not be operative until twelve months from the date of passage and approval by the governor.

Further amend House Bill 391, section 201, as follows: beginning after the words, "as the Court may determine", insert the following words, "unless otherwise specifically provided by law."

Further amend House Bill 391, section 19, by inserting a comma after the word "telegraph" in the twelfth line thereof, by striking the word "or" and by inserting after the word "telephone" in the thirteenth line thereof the following: "and power"

Further amend House Bill 391, section 223, by striking out in the printed bill fourth to the last line the figures "22" and inserting in lieu thereof the figures "221."

Further amend House Bill 391, by striking out the words "three hundred" where they appear in section 42 of said bill and insert in lieu thereof the words "two hundred and fifty."

Further amend House Bill 391, by striking out the word "three" where it appears in subsection "a" of section 80 of said bill and insert the word "four".

Further amend House Bill 391, by striking out the figures and words "22000 pounds" where they appear in subsection "h" of section 80 of said bill and insert in lieu thereof the figures and words "16000" pounds per axle."

Further amend House Bill 391 by striking out the word "three" where it appears in section 205 of said bill and insert in lieu thereof the word "two".

Further amend House Bill 391, Section 6, (1303 of the Alabama Highway Code), as follows, to-wit: By striking therefrom the sentence or phrase, or words where they occur together therein, as follows, to-wit: "provided that such amount so expended shall not exceed fifty per cent of the cost of constructing, or paving, the roadway of such street or streets," and by substituting in lieu thereof the following, to-wit: "provided that, where such State Educational or Eleemosynary institution, or the property thereof, fronts or abuts on both sides of the street or highway, the roadway of which is to be paved or improved, the State Highway Department is hereby authorized to, and shall, expend an amount of money sufficient to cover the entire cost thereof, and where such institution, or the property thereof, fronts or abuts on only one side of such street or highway, the said Department is hereby authorized to, and shall, expend an amount of money sufficient to cover only one half of the cost thereof."

Amend H. B. 391, Section 60, as follows, by striking out the word "overtaking" as it appears after the words "and when" and just before the words "shall not increase" and insert in lieu thereof the word "overtaken".

Amend H. 391, Section 11, so that said section after amending shall read as follows:

Section 11: The salary of the Alabama Highway Director in Alabama shall be fixed at a sum to be prescribed by the Governor, but not to exceed the salaries formerly paid the President of the State Highway Commission and the State Highway Engineer and the salaries of the Associate Commissioners shall be fixed at a sum to be prescribed by the Governor not to exceed Seven Thousand Five Hundred dollars (\$7,500.00) per annum, each. Said salaries shall be paid in monthly installments on warrants drawn by the Auditor. They shall also be paid their necessary traveling expenses when absent from the office of the said commission on business of the Highway Department upon itemized verified statements approved by the Alabama Highway Director of the said commission and the Governor.

Amend Section 227 of House Bill 391 by adding thereto the following:

Provided that the provisions of this Act shall not be held to repeal the provisions relating to roads included in Chapter 274 of the Code of Alabama.

Amend H. 391, Sec. 52, Sub-section (a) by striking therefrom the following words where they last occur together therein, viz:

"And whenever any such crossing is so designated and sign-posted, it shall be unlawful for the driver of any vehicle to fail

to stop before traveling across such crossing, and the violation hereof shall constitute a misdemeanor."

And on motion of Mr. Poole a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the Bill H. 391.

And the Speaker named as a Committee on Conference on the part of the House Messrs. Poole, Goodwyn, and Brunson.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 660. To propose an Amendment to the Constitution of Alabama authorizing the City of Birmingham to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one percentum, which a majority of the qualified electors of said City voting at an election called for that purpose may authorize:

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature to-wit: November , 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the City of Birmingham is authorized to levy and collect under the Constitution as heretofore amended, said city shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one per centum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided

by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years)for the purpose or purposes of....." and "Against authorization of additional taxation at rate not to exceed.....per cent for the year (or years)for the purpose or purposes of....." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holders of bonds of said municipal corporation heretofore issued. Elections in said municipality to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipality for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self-operative without any additional legislation."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

"Yes.....
No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Ward of Geneva:

H. R. 175. Relative to making H. 210 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Pegues:

H. R. 176. Relative to making H. 640 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 177. Relative to making S. 110 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Morrow:

H. R. 178. Relative to making House Bills 322, 428 and 427 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. R. 179. Relative to making House Bills Nos. 882; H. 881; H. 952 and H. 880 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Rogers of Elmore:

H. R. 181. Relative to making H. 962 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tompkins:

H. R. 182. Relative to making H. 842 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Morrow:

H. R. 183. Relative to making S. 128 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. 184. Relative to making H. 392 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tunstall:

H. J. R. 185. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 9, 1927.

And the Rules were suspended and the resolution was adopted.

By Mr. Deloney:

H. R. 186. Relative to making H. 51 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Goode:

H. R. 187. Relative to making H. 960 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

REPORT OF RULES COMMITTEE

Mr. Tunstall acting Chairman of the Standing Committee on Rules returned to the House the following Resolutions with a favorable report:

By Mr. Pegues:

H. J. R. 155. Be it resolved by the House, the Senate concurring, that a Committee of five be appointed to consist of three members of the House to be appointed by the Speaker of the House, and two members of the Senate to be appointed by the President of the Senate, which Committee shall sit in session to study the School Code as revised and make a report to each House as soon as possible with recommendations for changes where deemed necessary.

And the H. J. R. 155 was concurred in and adopted.

Also:

By Mr. Goodwyn:

H. R. 164. Making H. 789 a special order for the 41st Legislative Day at 12 o'clock and to take precedence over all other matters.

And the H. R. 164 was adopted.

By Rules Committee:

Also:

H. 180. Making H. 887, H. 318, H. 374, H. 917 and 972 Special, Paramount and continuing orders for the 40th Legislative Day after reports of Standing Committees and to take precedence over all other matters.

And the Resolution 180 was adopted.

By Rules Committee:

Also:

H. R. 188. Making certain House Bills special, paramount, continuing orders for the 41st Legislative Day immediately after reports of Standing Committees and to take precedence over all other matters, viz: H. 495; 483, 497, 488, 490, 530, 504, 840, 527, 502, 496, 478, 493, 365, 481, 511, 513, 479, 486, 485, 492, 494, 698, 510, 505, 522, S. 204, S. 215, S. 219, H. 833.

And the H. R. 188 was adopted.

By Rules Committee:

Also:

H. R. 189. Making H. 586, 673, 367, 385, 845, 286, 287, S. 65, H. 843, H. 662, 622, 935, S. 296, H. 83, 470, 701, 54, 474, 308, 211, 630, 174, 572, 313, 825, 858, 759, 837, 775, 795, 717, 718, 152, 663, 399, 396, 394, 392, 405, 597, 397, 410, 411, 400, 412, 409, 413, 414, 463, 229, 395, 801, 415, 404.

And the H. R. 189 was adopted.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Stewart of Bibb:

H. 1017. To require those issuing due bills, commissary checks or other evidences of indebtedness to their employees to redeem same at the face value when held by bona fide purchaser and prescribe a penalty for failure to do so.

Judiciary.

By Mr. Stephens:

H. 1018. To amend Section 1999 of the Code of Alabama.
Public Printing.

By Mr. Webb:

H. 1019. To amend Section 3005 Code of Alabama 1923.
Education.

By Mr. Ringer:

H. 1020. To establish, regulate and provide for the government of a sheep department for the State of Alabama, and to appropriate moneys to pay the cost of its operation.

Agriculture.

By Mr. Cockrell:

H. 1021. To provide for the levy, collection and disbursement of a license tax for engaging in the business of publishing a newspaper or other printed periodical in this State, containing advertisements.

Ways and Means.

By Mr. Baldwin (With Notice and Proof) :

H. 1022. To authorize the Court of County Commissioners of Covington County, Alabama, to issue a warrant in favor of J. W. Livings, for the sum of \$204.42, and to provide for the payment of the same by the county treasurer.

Local Legislation.

Notice and Proof H. 1022.

NOTICE

Notice is hereby given that at the adjourned regular session of the Legislature of Alabama, to convene on June 7, 1927, a bill will be introduced for passage in substance as follows:

For the relief of J. W. Livings:

Be it enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners of Covington County, Alabama, be and it is hereby authorized and directed to issue to J. W. Livings a warrant upon the treasury of Covington County, Alabama, in the sum of Two Hundred and Four (204.42) and 42/100 Dollars, to be paid out of the general funds of said County in payment of Sheriff's cost due him as Sheriff in twenty criminal cases where the defendants were convicted in the Circuit Court of said County, and sentenced to hard labor for said County, under the provision of an Act of the Legislature, approved September 10, 1915, making it mandatory for the Court of County Commissioners of said County to work male convicts of said County on the public roads, bridges and public works of said County, but said Act made no provision for the payment of officer's costs for services performed as Sheriff or otherwise.

19-26-2-9

J. W. Livings.

PROOF OF PUBLICATION

The State of Alabama,
Covington County.

Before me, C. D. Bean, Notary Public in and for said State and County, personally appeared C. C. Wilson, who, being duly sworn, deposes and says that he is editor, owner and publisher of the Covington News, a newspaper published in Andalusia, in said county, which has a general circulation in said county in which newspaper was published for four consecutive weeks.

the foregoing and above notice, on dates, to-wit: May 19th, 26th and June 2, and the 9th, 1927.

C. C. Wilson,
Editor, Owner and Publisher.

Sworn to and subscribed before me this 18 day of June, 1927.

C. D. Bean,
Notary Public.

By Mr. Moxley:

H. 1023. To amend Schedule 83 of the Revenue Code of Alabama, 1923, so that the sentence referring to peddlers of merchandise other than medicine, and shown on lines 6, 7 and 8, of that paragraph and on page 204 of the said Code, shall read as follows: Peddlers of merchandise other than medicine and farm produce and commonly known as Rolling Stores selling at retail, groceries, general merchandise, toilet articles, cigars and tobaccos one hundred dollars for each vehicle for each county in which they peddle, provided, however, that seventy-five percentum of said sum shall be certified into the State Treasury and twenty-five percentum into the treasury of the county in which they operate.

Ways and Means.

By Mr. St. John (With Notice and Proof):

H. 1024. To amend Sec. 1 of an Act Entitled An Act to provide for the Establishing, Constructing and Maintaining Public Roads and Bridges in Cullman County, Alabama; Creating a Highway Commission for said County, Defining its Powers, Jurisdiction and Duties.

Local Legislation.

Notice and Proof H. 1024.

A BILL

To be Entitled: An Act to amend Section 1 of an Act entitled An Act to provide for the establishing, constructing and maintaining public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, defining its powers, jurisdiction and duties.

Be it enacted by the Legislature of Alabama:

That Section 1 of an Act of the Legislature of Alabama entitled an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a highway commission for said county, defining its powers, jurisdiction and duties, approved September 26, 1923, be amended so as to read as follows:

Sec. 1. There is hereby created a highway commission of Cullman County, Alabama, to be composed of the judge of probate of said county, who shall be ex-officio chairman of such commission, and two associate commissioners who shall be appointed by the Governor and who shall hold office until the first Monday after the second Tuesday in January, 1929, and until their successors are elected and qualified, and who shall at the time of their appointment be qualified electors of said county. All vacancies in the membership of said commission shall be filled by appointment of the Governor and such appointees are to hold office for the unexpired term. The terms of office of said commissioners shall be six years, to be selected by qualified voters of said county at the general election in November, 1928, and every

six years thereafter, and said members shall hold office concurrent with the term of office of the judge of probate. The members of said commission shall serve without compensation. Before assuming the duties of the office members of said commission shall take the oath of office prescribed by law for other offices in this State.

State of Alabama,
Cullman County.

Notice is hereby given that the foregoing bill will be introduced and passed during the present term of the Legislature of Alabama.

F. E. St. John.

The State of Alabama,
Cullman County.

Before me, S. J. Griffin, a Probate Judge in and for said County and State, personally appeared J. C. Norwood, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper, once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: June 30 and July 7, 14 and 21st, 1927.

J. C. Norwood, Publisher.

Sworn to and subscribed before me this the 1st day of Aug., 1927.

(Seal)

S. J. Griffin,
Probate Judge.

By Mr. Jordan (Etowah):

H. 1025. To designate and establish a State Trunk Road from Attalla, in Etowah County to Springville, in St. Clair County, Alabama, and to provide for its construction and maintenance by the State Highway Department.

Public Roads and Highways.

By Mr. Tunstall:

H. 1026. To further provide for the taxation of persons, firms and corporations doing a telegraph or telephone business or that of operating express companies in the State of Alabama:

Ways and Means.

By Mr. Howell (By request) (With Notice and Proof):

H. 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, Deceased.

Appropriations.

Notice and Proof of H. 1027.

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that the following bill will be introduced, and its enactment into a law applied for, at the present session of the Legislature of Alabama, which bill shall provide in substance as follows, to-wit:

"A Bill to be Entitled An Act for the Relief of Mrs. Eunice Harris, the Widow of Thomas Jefferson Harris, Deceased.

"Whereas, Thomas Jefferson Harris was convicted in the Circuit Court of Houston County, Alabama, in the year 1923, on a charge of manslaughter, and was sentenced to the penitentiary for the term of ten years; and

"Whereas, the said Thomas Jefferson Harris, while serving said sentence in the penitentiary at Speigner, on the 3rd day of June, 1927, was

without fault on his part accidentally killed by coming in contact with a pipe or wire charged with electricity; and,

"Whereas, the said Thomas Jefferson Harris, at the time of his death, left surviving him his widow, Mrs. Eunice Harris, and a minor child, James William Harris, now six years old, who were his dependents and who now have no property of any kind whatever:

Now, therefore,

Be it enacted by the Legislature of Alabama:

Section 1. That an appropriation of Ten Thousand Dollars (\$10,000.00) be, and the same is hereby, made for the relief of the said Mrs. Eunice Harris, the widow of the said Thomas Jefferson Harris, deceased, who was accidentally killed at Speigner while serving a sentence in the penitentiary of Alabama.

Section 2. That the amount of money named in Section 1 of this Act be paid out of any funds in the treasury not otherwise appropriated, and that the State Auditor be, and he is hereby, authorized and required to draw his warrant on the Treasurer, in favor of the said Mrs. Eunice Harris, for amount set out in Section 1, of this Act."

Dated this the 5th day of July, 1927.

(Signed), Mrs. Eunice Harris.

State of Alabama,
Houston County.

Before me, the undersigned Notary Public in and for said county, in said State, personally appeared Julian Hall, who, having been first duly sworn, deposes and says that he is editor of The Dothan Eagle, a newspaper published in Dothan, Houston County, Alabama, and that the attached notice was published once a week for four successive weeks in said newspaper before the making of this affidavit and on, to-wit, July 5, 1927, July 12, 1927, July 19, 1927, and July 26, 1927.

Julian Hall.

Sworn to and subscribed, before me, on this the 29th day of July, 1927.

Maude Baughman,
Notary Public.

By Mr. Tompkins:

H. 1028. To prohibit whipping, flogging, beating or any assault by persons or persons masked or having their faces concealed and to provide the penalty therefor.

Judiciary.

By Mr. Frey:

H. 1029. To amend Section 4048 of the Code of Alabama.
Revision of Laws.

By Mr. Frey:

H. 1030. To promote the health and welfare of females employed in any establishment by limiting the hours of their employment; by providing periods of rest, and the eating of meals; by requiring wash rooms and dressing rooms and water closets in establishments employing females, and regulating the sanitation thereof; by requiring such establishments to provide a sufficient supply of drinking water for their employees.

Labor.

By Mr. McAdory:

H. 1031. To authorize Departments of the State of Alabama, or State Commissions, directly engaging and paying employees

out of funds in the custody of such Departments or Commissioners, to act or to serve, in their discretion, as agents for employees of their respective Departments or Commissions to procure or to secure, at the cost of such employees, group insurance, through indemnity policies or otherwise, to individually indemnify employees or their named beneficiaries against loss or damage caused by or consequent upon accidental physical injury or accidental death suffered by such employee while in the discharge of duty or the performance of functions under their respective employments; and to empower such Departments or Commissions to make rules and regulations to effect the purpose of this Act.

Insurance and Insurance Companies.

By Mr. McAdory:

H. 1032. To amend Section 5310 of the Code of Alabama.
Penitentiaries.

By Mr. Morrow:

H. 1033. To appropriate the sum of \$11,213.04 for the relief of the Alabama Boys Industrial School.

Appropriations.

By Mr. Simpson:

H. 1034. To further provide rules of procedure in all the Circuit Courts of Alabama, so far as such proceedings relate to bills of exceptions.

Judiciary.

By Mr. Hawkins:

H. 1035. A bill to be entitled an act to provide for and submit to the qualified electors of the State of Alabama at an election to be held after the final adjournment of the present session of the Legislature, an amendment to the constitution of Alabama as follows:

"The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1: That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final

adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3: That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of the State of Alabama:" "The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of charity hospital or hospitals for the care and treatment of indigent persons.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross-mark made by him, or under his direction, opposite the word expressing his desire.

Section 4: That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held under and in all things governed by and had in accordance with the Constitutional provisions touching amendments to the Con-

stitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7: The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expenses of general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments:

By Mr. Jeter (With Notice and Proof) (By request):

H. 1036. To repeal An Act, entitled, An Act to alter to rearrange the boundaries of the Town of Homewood, Jefferson County, Alabama, approved during the regular session of the Alabama Legislature of 1927.

Local Legislation.

Notice and Proof H. 1036.

NOTICE

To Whom it May Concern:

Notice is hereby given that at the present session of the Legislature of Alabama, a bill will be introduced therein as follows:

An Act, to repeal an Act, entitled, An Act to alter or rearrange the boundaries of the Town of Homewood, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That that certain Act of the Legislature of Alabama entitled, "An Act to alter to rearrange the boundaries of the Town of Homewood, Jefferson County, Alabama," approved during the regular session of the Alabama Legislature of 1927, be and the same is hereby repealed.

Section 2. Be it further enacted that this repealing Act shall go into effect from and after its approval by the Governor.

State of Alabama,
County of Jefferson.

Before me, Bruce McGill Jones, Notary Public, in and for the aforesaid county and State, personally appeared Robert Talley, Editor, who being by me first duly sworn deposes and says that he is Editor of The Birmingham Post, a newspaper published in the city of Birmingham, Alabama, and that the Birmingham Post is a daily newspaper having general circulation in

Jefferson County, Alabama, and that the attached bill or Act to be introduced in the Legislature of Alabama was published once a week for four consecutive weeks in said paper on the following dates, to-wit: June 25, 1927; July 2, 1927; July 9, 1927; July 16, 1927.

Robert Talley,

Affiant, and Editor of The Birmingham Post.

Sworn to and subscribed before me this 26th day of July, 1927.

(Seal)

Bruce McGill Jones.

By Mr. Jeter (By Request):

H. 1037. To fix the compensation of Circuit Clerks of all Counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal Census.

Local Legislation.

By Mr. Fite:

H. 1038. To authorize the joinder as defendants in one action all parties who are liable in damages to another, for or on account of any tort or civil wrong or contract, or the breach thereof, regardless of the form of action in which any one or more parties may be sued or be liable.

Revision of Laws.

By Mr. Grove:

H. 1039. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and

the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Local Legislation.

By Mr. Grove:

H. 1040. To authorize and empower the Governor to appoint a matron in all penal institutions of the State where women are confined; to prescribe the duties, qualifications and compensation.

Judiciary.

By Mr. Grove:

H. 1041. To provide for the transfer and custody of the women convicts of the State to and in a single penal institution of the State.

Criminal Administration.

By Mr. Rogers of Mobile:

H. 1042. To empower municipal corporations having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to provide for, regulate, and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied and the location and use of buildings and structures, and the use of land for trade industry, residences and other purposes, and to regulate the housing or residence within such city of different classes of inhabitants.

Local Legislation.

By Mr. Rogers of Mobile:

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof.

Local Legislation.

By Mr. Vickers:

H. 1044. Regulating the appointment of election officers in primary elections held for the nomination of party candidates for county public and county party offices in counties in this state having a population of not less than ninety-eight thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census.

Privileges and Elections.

By Mr. Vickers:

H. 1045. Conferring upon all cities in this state having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, the same power and authority with respect to matters of sanitation in the territory outside of the corporate limits of such city, but within police jurisdiction thereof, which it has within the territory embraced within the corporate limits of such city; and authorizing such cities to construct and re-construct systems of sanitary sewers and sewage treatment and disposal plants and outlets for such sewers and sewage systems outside of the corporate limits of such city and within the police jurisdiction of such city; and authorizing the assessment of the whole or part of the cost of such construction upon property served, benefited or increased in value, where such property lies outside the corporate limits of such city, but within the police jurisdiction of such city; and authorizing such cities to issue bonds to pay for the cost of such construction and reconstruction.

Local Legislation.

By Mr. Vickers (With Notice and Proof) :

H. 1046. To amend Sections 4 and 9 of an act entitled "An Act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an act entitled an act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

Local Legislation.

Notice and Proof H. 1046.

Notice is hereby given that the bill hereinbelow set forth will be presented for passage and enactment to the Legislature of Alabama at the regular session thereof which commenced the second Tuesday in January, 1927:

A BILL

Entitled An Act to amend sections 4 and 9 of an Act entitled "An Act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an Act entitled an Act to establish an inferior criminal court in the county of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

Section 1. Be it enacted by the Legislature of Alabama that section four (4) of an Act entitled "An Act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an Act entitled an Act to establish an inferior criminal court in the county of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907, be and the same is hereby amended so as to read as follows: Section 4. Be it enacted by the Legislature of Alabama, That section six (6), of an Act entitled an Act to establish an inferior criminal court in the county of Mobile, approved February 23rd, 1899, be and the same is hereby amended so as to read as follows: Section 6. Be it further enacted, That said judge of said inferior criminal court shall appoint some competent person to act as clerk of his said court. The duty of said clerk shall be to keep a record of all the proceedings of the said court; he shall keep in a book to be furnished by the board of revenue and road commissioners of Mobile county a properly arranged docket of all cases tried in said court and all examinations had therein, which docket shall set forth the nature of the case, the date of the issue and the return of all processes, and a statement of the judgment rendered in the case sufficient to clearly show what was done in the case, together with an itemized copy of the bill of costs, and by whom paid. The said clerk shall have the authority to issue warrants sworn out in said court, and to take and certify the affidavit of the prosecutor. He shall attend upon the duties of said court at such hours as are designated by the judge thereof, and shall perform such other clerical duties as may be prescribed by the judge of said court. Said clerk, before entering upon the performance of the duties of his office shall furnish to the probate judge of Mobile county a bond with sufficient sureties, in the sum of two thousand dollars, to be conditioned and approved in the same manner as is the bond of the clerk of the circuit court of Mobile, and said bond can be given in any solvent guarantee and indemnity company. The term of office of said clerk shall be for the period of one year, unless sooner removed by the judge of said court, which can be done by an order of removal of discharge entered upon the records of said court. For all the services rendered in the said court the said clerk shall receive an annual salary of twenty-four hundred dollars, payable monthly from the county treasury of Mobile County, and he shall receive no fee whatever. It shall be the duty of said clerk to assess and collect in each criminal case all the costs, fines and fees provided for under the laws of Alabama for justices of the peace, and such monies so collected shall by him be paid into the treasury of Mobile county. The said clerk shall have the authority to swear witnesses at the trial of all criminal cases in said court and to administer oaths and take affidavits in all cases in which the authority to administer such oaths or take such affidavits is not confined to some other officer. The said clerk shall have the authority to appoint deputies, with full power to transact all business of such clerk, such deputy first taking an oath to support the constitution and laws of the State, and faithfully to discharge the duties of deputy clerk of the said inferior criminal court.

Section 2. Be it further enacted by the Legislature of Alabama that section nine (9) of an Act entitled "An Act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an Act entitled "An Act to establish an inferior criminal court in the county of Mobile, approved February 23rd, 1899—approved February 21st, 1907"—be and the same is hereby amended so as to read as follows: Section 9. Be it enacted by the Legislature of Alabama that section thirteen (13) of an Act to establish an inferior criminal court in the county of Mobile, approved February 23, 1899, be and the same is hereby amended so as to read as follows: Section 13. Be it further enacted that the compensation of said judge of said inferior criminal court shall be forty-five hundred dollars per annum, payable monthly out of the county treasury.

Section 3. That all laws, or parts of laws, in conflict, and contrary to the provisions of this Act, are hereby repealed.

The State of Alabama,
County of Mobile.

Before me, J. G. Bennett, a Notary Public in and for said county in said State this day personally came J. C. Ballentyne who being by me duly sworn, deposes and says that he is the Auditor of the Mobile News Item, a daily newspaper published and distributed in said County of Mobile, Alabama, and that notice of the intention to apply to the Legislature of Alabama at the regular session thereof beginning on the second Tuesday of January, 1927, for the passage of a certain local bill of which a copy is hereto attached, was published without costs to the State, in said county of Mobile, stating the substance of said proposed law, once a week for four consecutive weeks, in said Mobile News Item, on July 11, 18, 25 and August 1, 1927.

J. C. Ballentyne, Auditor.

Subscribed and sworn to before me by J. C. Ballentyne on this the 1st day of August, 1927.

J. G. Bennett,
Notary Public, Mobile County, Ala.

By Mr. Vickers:

H. 1047. To prohibit and make unlawful any person, firm or corporation engaged in the sale of gasoline or any other motor fuel, or any substitute therefor in intra-state commerce discriminating in favor of or against any other person, firm or corporation by giving or granting any rebate, concession, special price or gratuity to any customer or purchaser of gasoline, or any other motor fuel, or any substitute therefor, and to prohibit and make unlawful any person, firm, or corporation engaged in the sale of gasoline, or any other motor fuel, or other substitute therefor, in intra-state commerce, discriminating against or in favor of any customer or purchaser of gasoline, or any other motor fuel, or other substitute therefor, by selling same at different prices in different locality, except difference in price based on freight rates in different localities, and to provide for the enforcement of this Act and penalties for the violation thereof.

Public Roads and Highways.

By Mr. Merrill:

H. 1048. To amend Section 7006 of the Code of Alabama of 1923.

Rules.

By Mr. Sanderson:

H. 1049. To fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of Seventy-Five Thousand people and less than Ninety-Five thousand people according to the last United States Census, or any census which may hereafter be taken.

Local Legislation.

By Mr. Sanderson:

H. 1050. To amend Section 5523 entitled Salaries of Deputy Solicitors of the Code of 1923.

Revision of Laws.

By Mr. Sanderson:

H. 1051. To amend section 5522 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Hubbard:

H. 1052. To amend Section 5168 of the Code of Alabama of 1923.

Public Health.

By Mr. Ware:

H. 1053. To prohibit whipping, flogging or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

Judiciary.

By Mr. Smith:

H. 1054. To amend Section 2011 of the Code of Alabama of 1923.

Municipal Organization.

By Mr. Mullen (With Notice and Proof):

H. 1055. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

Local Legislation.

Notice and Proof H. 1055:

AN ACT

Notice is hereby given that the following bill will be introduced at the present session of the Legislature of Alabama:

To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year and to provide for the payment thereof.

Be it enacted by the Legislature of Alabama:

Section I. That the salary of the Deputy Solicitor for Talladega County, Alabama, be, and the same hereby is, fixed at the sum of twelve hundred (\$1,200.00) dollars per year, payable out of the general fund of said county in monthly installments of one hundred (\$100.00) dollars each, upon warrants drawn by the judge of probate of said county on the treasury of said county on the first of each month.

Section II. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section III. That this Act shall go into effect immediately upon its passage and approval by the Governor.

State of Alabama,

Talladega County.

Before me, M. N. Manning, a Notary Public in and for said County, personally appeared Tom R. Williams, who is known to me, and who being by me first duly sworn, on oath deposes and says that he is Assistant Editor

and Publisher of the "Our Mountain Home", a newspaper published in Talladega County, Alabama; that the publication, without cost to the State of a certain notice that a bill to fix the salary of the Deputy Solicitor for Talladega County, Alabama, would be introduced in the Legislature of Alabama, a true and correct copy of which said notice is hereto attached, has been made in said newspaper once a week for four consecutive weeks in the issues thereof dated July 13th, 1927, July 20th, 1927, July 27th, 1927, and August 3rd, 1927.

Tom R. Williams.

Sworn to and subscribed before me this Augst 3rd, 1927.

M. N. Manning,

Notary Public, Talladega County, Alabama.

By Mr. Lovelace:

H. 1056. To place the custody, management and administration of the salt springs and lands granted to the state under the second clause of the sixth section of the Act of Congress of March 2, 1819, under the State Commission of Forestry for state forest purposes.

Forestry and Conservation.

By Mr. Lovelace:

H. 1057. To amend Section 989 of the Code of Alabama of 1923.

Forestry and Conservation.

By Mr. Graves (With Notice and Proof):

H. 1058. To make it unlawful to use or place or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Local Legislation.

Notice and Proof H. 1058.

A BILL

To be entitled An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Be it enacted by the Legislature of Alabama: Section 1. It shall be unlawful for any person, firm or corporation to use, or place or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties, and any person, firm or corporation who violates any of the provisions of this statute shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Section 2. This Act shall go into effect upon its approval by the Governor.

State of Alabama,
Tallapoosa County.

Before me, J. L. Willis, a Notary Public in and for said County and State, personally appeared E. C. Hall, Publisher of The Alexander City Outlook, a newspaper published once a week in Alexander City, Alabama, who on oath deposes and says:

The Bill entitled: "An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties", and that the attached clipping is a true and correct copy and appeared once a week for four consecutive weeks, to-wit: July 7th, 14th, 21st, and 28th, 1927.

E. C. Hall, Publisher.

Sworn and subscribed to before me this the 28th day of July, 1927.

(Seal)

J. L. Willis,
Notary Public.

My commission expires July 28, 1929.

A BILL

To be entitled An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Be it enacted by the Legislature of Alabama: Section 1. It shall be unlawful for any person, firm or corporation to use, or place or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties, and any person, firm or corporation who violates any of the provisions of this statute shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Section 2. This Act shall go into effect upon its approval by the Governor.

State of Alabama,
Coosa County.

Before me, Geo. B. McDonald, a Judge of Probate in and for said County and State, personally appeared W. P. Pruitt, Publisher of the Rockford Chronicle, a newspaper published once a week in Rockford, Alabama, who on oath deposes and says:

The Bill entitled: "An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties", and that the attached clipping is a true and correct copy and appeared once a week for four consecutive weeks, to-wit: July 7th, 14th, 21st, and 28th, 1927.

W. P. Pruitt, Publisher.

Sworn and subscribed to before me this the 28th day of July, 1927.

Geo. B. McDonald,

(Seal)

Judge of Probate, Coosa County, Alabama.

My commission expires January, 1929.

A BILL

To be entitled An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Be it enacted by the Legislature of Alabama: Section 1. It shall be unlawful for any person, firm or corporation to use, or place or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties, and any person, firm or corporation who violates any of the provisions of this statute shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Section 2. This Act shall go into effect upon its approval by the Governor.

State of Alabama,
Elmore County.

Before me, G. H. Howard, Judge of Probate in and for said County and State, personally appeared Frances Golson, Editor of The Wetumpka Herald, a newspaper published once a week in Wetumpka, Alabama, who on oath deposes and says:

The Bill entitled: "An Act to make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties", and that the attached clipping is a true and correct copy and appeared once a week for four consecutive weeks, to-wit: July 14th, 21st, 28th, and Aug. 4th, 1927.

Frances Golson, Editor.

Sworn to and subscribed before me this the 4 day of August, 1927.

G. H. Howard,
Judge of Probate.

(Seal)

By Mr. Ward (Tuscaloosa) (By request) (With Notice and Proof):

H. 1059. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, the sum of Fourteen Hundred Seventy-five and no-100 (\$1475.00) dollars, which amount was paid to W. C. Kyle, as Sheriff of Tuscaloosa County, under the provisions of the Act approved September 24, 1919, and entitled "An Act to provide for the payment of expenses for automobiles for the use of Sheriffs in the discharge of their duties as such in counties of not less than fifty-three Thousand Four Hundred and One (53,401) nor more than Fifty-eight Thousand Five hundred and One (58,501) population according to the Federal census of 1910, or according to any subsequent Federal Census," and which the said W. C. Kyle, deceased, repaid to the County of Tuscaloosa.

Local Legislation.

Notice and Proof H. 1059.

NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama, at its present session, for the enactment of a local law in substance as follows:

Be it enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue of Tuscaloosa County, Alabama, be, and hereby is, authorized and empowered to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, who was formerly Sheriff of Tuscaloosa County, the sum of Fourteen Hundred Seventy-five and no-100 (\$1,475.00) Dollars, which was paid to him as such Sheriff from and including the month of February 3, 1923, to and including the month of June, 1925, under and by virtue of

the Act approved September 24, 1919, entitled "An Act to provide for the payment of expenses for automobiles for the use of Sheriffs in the discharge of their duties as such in counties of not less than Fifty-three Thousand Four Hundred and One (53,401) nor more than Fifty-eight Thousand Five Hundred and One (58,501) population according to the Federal Census of 1910, or according to any subsequent Federal Census," and which amount of \$1,475.00, the said Act having been declared unconstitutional, the said W. C. Kyle, prior to his death and while Sheriff of Tuscaloosa County, was compelled to repay to Tuscaloosa County.

Section 2. That all laws and parts of law in conflict with the provisions of this Act be, and hereby are, repealed.

State of Alabama,
Tuscaloosa County.

Before me, the undersigned Richard C. Foster, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice, as contained in the excerpt from said newspaper pasted to this page, of intention to apply to the Legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of July 10, 1927, and the following three publications in the issues of said newspaper were July 17, July 24, and July 31, 1927, respectively.

Aaron Miller.

Sworn to and subscribed before me this the 2nd day of August, 1927.

Richard C. Foster,

Notary Public.

By Mr. Powell:

H. 1060. To repeal Sections 9389, 9391, 9392, 9393 and 9395 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Powell:

H. 1061. To amend Sections 9384, 9386, 9387, 9390 and 9394 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Matthews (By request) (With Notice and Proof):

H. 1062. Authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

Local Legislation.

Notice and Proof H. 1062.

NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of a local bill for Wilcox County substantially as follows:

A bill to be entitled An Act authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the main-

tenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

Be it enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners or other governing body of Wilcox County is hereby authorized to pay to the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile by warrant drawn on the Treasurer of said County and payable out of the general fund of said County.

Section 2. Before the issuance of said warrant, the Deputy Sheriff of said County shall file with said Court of County Commissioners an itemized and verified statement showing expenditure of all amounts for the maintenance and running expenses of his automobile.

Section 3. The total amount hereby authorized to be paid to said Deputy Sheriff shall not exceed three hundred sixty dollars per annum.

Section 4. This Act shall go into effect immediately upon its passage and approval by the Governor.

The State of Alabama,
Wilcox County.

Personally came before me, Pat M. Dannelly, Judge of Probate in said County and State, Carl M. Watts, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden in said County and State, and that the publication of this notice, a copy of which is hereto attached, has been in said paper 4 times as follows:

Beginning with Vol. 39 No. 27 on the 7th day of July, 1927.

Ending with Vol. 39 No. 30 on the 28th day of July, 1927.

Carl M. Watts.

Sworn to and subscribed before me, this the 29th day of July, 1927.

Pat M. Dannelly,
Judge of Probate.

By Mr. Matthews (With Notice and Proof) :

H. 1063. Authorizing the Probate Judge or Deputy Solicitor to employ a competent shorthand writer to take stenographic notes of the testimony in County Court, in Justice Court and before Judge of Probate Court in cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment:

Local Legislation.

Notice and Proof of H. B. 1063.

NOTICE

Notice is hereby given that application will be made to the present session of Legislature for passage of a local bill for Wilcox County substantially as follows: A bill to be entitled An Act authorizing the Probate Judge or Deputy Solicitor to employ a competent shorthand writer to take stenographic notices of the testimony in County Court, in Justice Court and before Judge of Probate Court in cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment:

Be it enacted by the Legislature of Alabama:

1. That in all cases tried in the Court House of Wilcox County, Alabama, before the Judge of the County Court of Wilcox County, or Justice of the Peace, or Judge of Probate thereof, the Judge of Probate or Deputy

Solicitor may in the discretion of either employ a competent shorthand writer to perform the duties of Official Court Reporter in such cases, whose duty it shall be to take full stenographic notes of the oral testimony and proceedings, except arguments, in such cases, and must also note the order in which all documentary evidence is introduced; all objections and rulings of the Court thereon, and exceptions which may be noted thereto.

It shall be the further duty of the said reporter to transcribe said notes and file original of same with the Clerk of Circuit Court and to deliver a copy to the attorney of record of any party thereto.

2. That the said reporter shall receive as compensation for same Ten dollars per day or fraction thereof and in addition ten cents per hundred words for each original copy and five cents per hundred words for each additional copy ordered to be made at the same time. Said payment to be made on certificates issued by the Judge of the Court in favor of such reporter for the amount due, the same to be paid by the treasurer of Wilcox County out of the general funds thereof on presentation in the same manner as juror's certificates are now paid.

The State of Alabama,

Wilcox County.

Personally came before me, Pat M. Dannelly, Judge of Probate in said County and State, Carl M. Watts, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden in said County and State, and that the publication of this notice, a copy of which is hereto attached, has been in said paper 4 times as follows:

Beginning with Vol. 39 No. 25 on the 23rd day of June, 1927.

Ending with Vol. 39 No. 28 on the 14th day of July, 1927.

Carl M. Watts.

Sworn to and subscribed before me, this the 29th day of July, 1927.

Pat M. Dannelly,
Judge of Probate.

By Mr. Matthews (With Notice and Proof) :

H. 1064. To authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said County, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire County and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include the notice and substance of bills advertised at and during the present Legislature.

Local Legislation.

Notice and Proof of H. 1064 :

NOTICE

Is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of a bill to be entitled "An Act to authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include

the notice and substance of bills advertised at and during the present session of the Legislature.

Be it enacted by the Legislature of Alabama:

Section 1. That the court of county commissioners of Wilcox County be authorized and directed to pay for advertising the notice and substance of local bills introduced in the Legislature for said county out of the money in the treasury not otherwise appropriated when the bill applies to the entire county and is ordered published by the court of county commissioners or Board of Revenue of said county, and this Act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

Section 2. That this Act shall take effect and become a law immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

The State of Alabama,
Wilcox County.

Personally came before me, Pat M. Dannelly, Judge of Probate in said County and State, Carl M. Watts, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden in said County and State, and that the publication of this notice, a copy of which is hereto attached, has been in said paper 4 times as follows: Beginning with Vol. 39 No. 23 on the 9th day of June, 1927. Ending with Vol. 39 No. 26 on the 30th day of June, 1927.

Carl M. Watts.

Sworn to and subscribed before me, this the 29th day of July, 1927.

(Seal) Pat M. Dannelly,
Judge of Probate.

By Mr. Powell (With Notice and Proof):

H. 1065. To authorize and empower the Court of County Commissioners of Walker County, Alabama, to pay out of the general funds of said county not exceeding \$3,600 per year for hospital service and treatment of indigent citizens of the county, and to prescribe who shall be entitled to said treatment and how the same may be obtained.

Local Legislation.

Notice and Proof of H. 1065.

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature in substance as follows:

AN ACT

Entitled An Act to authorize and empower the Court of County Commissioners of Walker County, Alabama, to pay out of the general funds of said county not exceeding \$3,600 per year for hospital service and treatment of indigent citizens of the county, and to prescribe who shall be entitled to said treatment and how the same may be obtained.

Be it enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners of Walker County be and they are authorized to pay out of the general funds of said county

for hospital service, to poor and indigent citizens of said county, provided the sum so to be paid shall not exceed \$3,600 in any 1 year and shall not exceed the sum of \$300 in any one month.

Section 2. Be it further enacted that no person shall be entitled to such hospital service at the expense of the county, except a bona fide citizen of Walker County, Alabama, who shall have resided therein at least six months before he makes application for said service; that no person shall be entitled to such free hospital service, if he has property or means with which to pay for same, or if he carries an insurance policy which covers such hospital service, or if he is employed by any person, firm or corporation that carries any insurance entitling its employees or their families to such service, or that cuts from the wages an amount to be paid for such hospital service.

Section 3. Be it further enacted that, for a citizen to obtain said free hospital service, it shall be necessary for his local doctor who is treating him to certify in writing the physical condition of the applicant, and that in his judgment it is a case for hospital treatment. It shall also be necessary for said applicant to obtain the sworn statement of two neighboring citizens of Walker County who own property stating that they know the financial condition of the applicant and that he is unable to pay for the same. These statements must accompany the certificate of the doctor treating him, and before he is entitled to such service at the expense of the county, it shall be necessary for said certificate and statements to be presented to a board which shall be composed of the Judge of Probate of Walker County, the County Health Officer of Walker County, and the President of the Board of Directors of the Walker County Hospital. Upon the consideration of said application, certificate and statements, if said board approve the same, they shall do so in writing, and this will entitle the applicant to admission to the hospital for hospital service at the expense of the county.

Section 4. Be it further enacted that the payment to be made by the county under this Act shall be limited to the hospitalization of the case and shall not include anything for medical or surgical attention, but only for hospital service.

Section 5. Be it further enacted that on the first of each month the said hospital shall present an itemized bill to the Commissioners' Court, and shall accompany the same by the certificate and statements heretofore required and the approval of the board, and upon so doing, it shall be the duty of the Court of County Commissioners to order a warrant drawn for the payment of such service, provided they shall not pay in any one month more than \$300.00.

J. B. Powell.

The State of Alabama,
Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared L. S. Richardson, Business Manager of The Mountain Eagle, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, a copy of which is hereto attached was published in the said Mountain Eagle once a week for 4 consecutive weeks namely January 19, January 26, Feb. 2, and Feb. 9.

L. S. Richardson,
Business Manager.

Sworn and subscribed to before me, this 25th day of July, 1927.

(Seal)

Thelma Baird,
Notary Public.

By Mr. Powell (With Notice and Proof) :

H. 1066. To require the owner or operator of every cotton gin, and every person, firm or corporation purchasing cotton in

Walker County, Alabama, to keep a public record showing date cotton received, by whom bought, name of owner, the number of pounds of seed cotton, and weight and number of the bale after ginned; to provide a penalty for sellers and buyers of cotton who make false representations concerning it.

Local Legislation.

Notice and Proof of H. 1066:

AN ACT

To require the owner or operator of every cotton gin, and every person, firm or corporation purchasing cotton in Walker County, Alabama, to keep a public record showing date cotton received, by whom bought, name of owner, the number of pounds of seed cotton, and weight and number of the bale after ginned; to provide a penalty for sellers and buyers of cotton who make false representations concerning it:

Be it enacted by the Legislature of Alabama:

Section 1. That the owner or operator of every cotton gin in Walker County, Alabama, shall keep at said gin a record showing the date the cotton was received, the name of the person or persons bringing the cotton to the gin, the name and post office address of the owner of the cotton, the number of pounds of seed cotton, and the weight and number of the bale after ginned.

Section 2. That every person, firm or corporation purchasing cotton in Walker County, Alabama, shall keep a record at his or its place of business showing the date the cotton was purchased, the name of person or persons bringing the cotton to said place of business, the name and post office address of the owner of the cotton; the weight and number of each bale of cotton and the price paid for said cotton.

Section 3. That every person, firm or corporation purchasing seed cotton in Walker County, Alabama, shall keep a record at his or its place of business showing the date the cotton was purchased, the name of the person or persons bringing the seed cotton to said place of business, the name and post office address of the owner of the seed cotton and the weight of the seed cotton.

Section 4. That the record hereinabove provided for in Sections 1, 2 and 3 shall be a public record and shall be open to the public at an accessible place at said gin or other place of business during the hours said gin is in operation, or other place of business is open for the transaction of business.

Section 5. Any person who fails or refuses to keep said record for the public, or any person owning or delivering cotton to the gin or other place of business who makes false representations with reference thereto shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Fifty (\$50.00) nor more than Two Hundred Fifty (\$250.00) dollars.

6. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

The State of Alabama,
Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared L. S. Richardson, Business Manager of The Mountain Eagle, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is

hereto attached was published in the said Mountain Eagle once a week for 4 consecutive weeks namely June 29, July 6, July 13, and July 20.

L. S. Richardson,
Business Manager.

Sworn and subscribed to before me, this 25th day of July, 1927.

Thelma Baird,
Notary Public.

(Seal)

By Mr. Lovelace (With Notice and Proof) :

H. 1067. To fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

Local Legislation.

Notice and Proof of H. 1067.

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama at its present session for the passage of the following local law:

A BILL

To be entitled An Act to fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That from the beginning of the term of office of the Judge of Probate of Escambia County, Alabama, on the first Monday after the second Tuesday in January, 1929, the annual salary of the said Judge of Probate as judge of the County Court of said county shall be Eighteen Hundred Dollars (\$1,800.00), payable in equal monthly installments from the county treasury, the payment of such salary to be by warrant of the Judge of Probate drawn on the county treasury. Provided, however, that if the total fees for trial, entering judgment and, when an appeal is taken, approving bond and certifying proceedings as prescribed by Section 3578 of the Code of 1923 be not collected and paid into the county treasury in an amount equal to or exceeding the salary herein proscribed, said judge shall receive so much thereof as is paid into the county treasury through the collection of such fees, but in no event shall he receive an annual salary of less than Twelve Hundred Dollars (\$1,200.00) a year, payable out of the county treasury in monthly installments as herein provided.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

PROOF OF PUBLICATION

I, W. E. Brooks, publisher of The Brewton Standard, a weekly newspaper published at Brewton, Escambia County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper, clipped from one of the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for four consecutive weeks on the following dates, to-wit:

July 14th, 1927; July 21st, 1927; July 28th, 1927; August 4th, 1927.

W. E. Brooks,

Publisher of The Brewton Standard.

Sworn to and subscribed before me this 4th day of August, 1927.

O. L. Larkins,
Notary Public.

By Mr. Hollis (With Notice and Proof) :

H. 1068. To provide for the construction and maintenance of public roads, bridges, causeways and culverts in Lamar County Alabama. To provide funds for the purpose of constructing and maintaining said roads, bridges, causeways and culverts. To make regulations for collecting funds for the above purposes and to provide penalties and enforce penalties for all who do not comply with the regulations of this Bill. Also for the purpose of dividing Lamar County Alabama into four road supervisors districts and to prescribe the duties of the supervisors of said districts.

Local Legislation.

Notice and Proof of H. 1068.

NOTICE

Notice is hereby given that there will be introduced in the Legislature of Alabama at its session which will convene on June 7th, 1927, a bill to provide for the working, repairing, maintaining and improving the public roads of Lamar County, Alabama; to prescribe rules and regulations for the same; to provide a per capita road tax in lieu of labor on the public roads of Lamar County, Alabama, and for the collection thereof; for the levying and collection of a license tax for vehicles and other motor driven trucks; providing for the duties of the Court of County Commissioners with reference to the public roads and bridges of Lamar County, Alabama; and prescribing penalties for the violation of the provisions of the same.

This May 31st, 1927.

STATE OF ALABAMA,
Lamar County.

Personally appeared before me, a Judge of Probate, in and for the said State and County, Kirby T. Mills, who, after being duly cautioned and sworn, deposeth and says as follows: That he is the Publisher of The Lamar Democrat, a weekly newspaper, published in the State of Alabama, County of Lamar, Town of Vernon, and that a legal notice was published for four (4) consecutive weeks in the above named paper prior to July 5, 1927, dates of publication being June 1, 1927, June 8, 1927 June 15, 1927, June 22, 1927. copy of which advertisement is hereto attached.

Kirby T. Mills,

Sworn to and subscribed before me, this 5 day of July, 1927.

J. T. Maddox,
Judge of Probate.

By Mr. Powell:

H. 1069. To create the Alabama State Park Commission; to define its rights, powers and duties in acquiring and maintaining State parks; and making an appropriation to meet the expense.

Revision of Laws.

By Mr. Long:

H. 1070. To Provide for and require the school term for public schools in Alabama to be nine months, and to make appropriation for the cost of maintaining the same.

Education.

BILLS ON SECOND READING

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 840. To repeal an Act approved February 21st, 1927, entitled "An Act to require all Tax Assessors, Tax Collectors, Judges of Probate, and Sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services and compensations, to file monthly itemized statements, under oath, with the treasurer, or such other corresponding officer, in their respective counties, showing monies received and expended by said officers in their respective offices, and departments, in all counties of the state of Alabama, having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last, or any subsequent Federal census; and to provide penalties for failure to file such reports."

H. 865. To amend Section 3802 of the Code of Alabama:

H. 888. To amend Section 8617 of the Code of Alabama, 1923.

H. 979. To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Mr. Deloney, Chairman of the Standnig Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 770. To authorize the payment of taxes which may be in Litigation, and the refunding of such taxes as may be ascertained to be erroneously or illegally paid.

H. 771. To amend Section 222 of the Revenue Code of the State of Alabama of 1923.

H. 834. To amend Sec. 250 of "An act to provide for the general revenue of the State of Alabama," approved Sept. 15th, 1919.

H. 891. To further provide for the taxation of Express Companies doing intrastate business in the State of Alabama.

H. 943. To amend Schedule 11-A of Section 361 of an Act entitled "An act to provide for the general revenue of the State of Alabama" approved Sept. 15th, 1919.

H. 984. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

H. 991. To amend Schedule No. 79 of Section 361 of an Act to provide for the general revenue of the State of Alabama, approved the 15th day of September 1919.

H. 998. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of hotels and factories for the spinning of threads and yarns, and the knitting and weaving of cloth and the manufacture of other fabrics and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, woods pulp products, wooden cabinets and farm implements, or other manufactured products, and for the purpose of further exempting such manufacturing plants and factories and hotels from taxation granted by any county or municipality since the 17th day of August, 1924, under the apparent authority of section 3023, 3024 and 3025 of the Code of 1923 and validating and making effective the same as of the date of the granting of such exemptions.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 64. To make an appropriation for the purpose of paying the amount due on property purchased by the State for the use of the State Training School for Girls.

H. 864. To provide for the relief of Dan Middleton by making an appropriation.

S. 133. To appropriate the sum of Three Thousand (\$3,000.00) Dollars, to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed while in line of duty as an employee of the State, on December 21, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

S. 305. To provide for the relief of Mrs. Lola Staten, Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbell, and Louis Isbell.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with substitute:

(With substitute):

H. 34. To make appropriations to the Alabama Boys Industrial School.

(With substitute):

H. 279. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 956. To repeal An Act entitled "An Act to establish the Inferior Court of York Beat, Precinct No. 6 in Sumter County, Alabama, in lieu of all Justices of the Peace therein including the Notary Public Ex-officio Justice of the Peace therein to be called the Inferior Court of York and to provide that all of the State's laws which are general shall apply to York Precinct No. 6 of Sumter County, Alabama, as to Justices of the Peace and Notary Public Ex-Officio Justice of the Peace and to provide for the transfer of all cases now on the docket of the said Inferior Court to the Justices of the Peace Court to be established."

H. 912. To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

H. 580. To abolish the Commissioners Court of Walker County, and to establish in lieu thereof a Board of Revenue of Walker County, and to provide that the present County Commissioners shall constitute the members of the Board of Revenue, to prescribe their duties, their powers and fix their compensation.

H. 911. To amend sections 5 and 6 of an Act entitled "An Act to further prescribe the duties of County Treasurers in Counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers, for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31, 1921.

H. 195. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of Three Thousand Nine Hundred and No-100 (\$3,900.00) Dollars for the relief of the widow and child of Z. B. Talley, deceased, the said

widow being named Mollie Tallie, and the said child being the child of Z. B. Talley, deceased, and said Mollie Talley.

H. 942. To authorize the City School Board or City Board of Education, or by whatever name called, in all cities of this state having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

H. 948. Abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said Board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this act shall go into effect upon its approval.

H. 975. To extend the boundary lines of the City of Alexander City, Alabama, and to describe the area included in such extension of boundary lines and within such City.

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

H. 1012. To abolish the office of Deputy Solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws except as herein provided for.

H. 1011. To provide for the fixing of the terms of office of the members of the Board of Revenue of Lawrence County, Alabama, for election of members of said Board of Revenue and for the repeal of all laws, general, local and special in conflict with the provisions of this Act.

H. 1013. To create the office of County Solicitor of Lawrence County, Alabama, to provide for the election of such officer by the qualified voters of said County to prescribe his powers duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

H. 958: For the relief of P. B. Hughes, former sheriff of Tuscaloosa County, Alabama, to authorize, empower and direct the Board of Revenue of Tuscaloosa County, Alabama, to pay to the said P. B. Hughes, out of any funds belonging to Tuscaloosa County and not already otherwise appropriated, the sum

of \$1510.20, paid by said Board of Revenue, to the said P. B. Hughes, as sheriff of Tuscaloosa County, while acting as such sheriff consisting of the following sums of money, on the following accounts: \$55.80 for postage stamps, \$15.40 as mileage in cases which were not proessed, \$102.00 as fees for guarding prisoners, \$162.00 as fees for bailiffs in the County Court of Tuscaloosa County, and \$1175.00 as expense of maintaining automobiles for the use of the sheriff and his deputies, amounting in the aggregate to \$1510.20, and which the said P. B. Hughes, has, by the Chief Examiner of Accounts, been required to refund, and which he did refund to Tuscaloosa County on October 29, 1925.

H. 949. To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by The Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862, and 1863 of the Code of Alabama.'

H. 1001. To create an Inferior Court, to be known as the Gadsden Inferior Court, for Precincts One (1) and Twenty-six (26) of Etowah County, Alabama, which Precincts lie within or partly within the City of Gadsden, Alabama, in lieu of Justices of the Peace and Notary Publics with the power of a Justice of the Peace; to prescribe the jurisdiction, authority, power and duties of said court and the officers thereof; to provide for the transfer of cases from Justices of the Peace and Notary Publics with the power of a Justice of the Peace to the Gadsden Inferior Court; to provide rules of procedure of said court; and to provide for execution of process and operation of said court.

H. 995. To extend the terms of all Judges of Inferior Courts created in lieu of Justices of the Peace, in Counties having a population of 200,000 or more, according to the last or any subsequent Federal census, and where such Judges of Inferior Courts are elected by the Judges of the Courts of record, or a portion of such Judges of Courts of record, in such counties.

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and

duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

H. 996. For the relief of J. M. Tuck, as Constable of precinct 21, Jefferson County, Alabama.

H. 1015. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama, and to provide that the members of the County Commissioner's Court shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such, to define their duties and fix their compensation as such supervisors.

H. 1016. To provide that all persons who have heretofore engaged in the practice of veterinary medicine in Dekalb County, Alabama for ten years be allowed to continue the practice of veterinary medicine and surgery in Dekalb County, Alabama, without procuring a license or permit from the State Board of Veterinary Medical Examiners of The State of Alabama.

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the Offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff, where said officials are paid a salary out of the County Treasury.

S. 431. To create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal.

S. 425. To provide that all counties in this state in which are located navigable waters where the tides ebb and flow and in which there are now or may hereafter be formed Districts for the purpose of building and maintaining Sea Walls and other protection against seas, waves, storms and floods, shall through their respective governing bodies from and after the formation of such district levy a tax of 2c per gallon on all gasoline and other motor vehicle fuel oils and motor vehicle lubricating oils sold in said county except such as is sold in interstate commerce, and authorizing the governing body of such county to provide rules and regulations governing the assessment and collection of said tax and authorizing the proceeds thereof to be paid over to

the treasurer of the Board of Commissioners of the Sea Wall District in said county and defining the purpose for which said proceeds of such tax may be used and directing that such tax shall be levied and collected as long as any bonds issued by the Board of Commissioners of said Sea Wall District are outstanding and remain unpaid.

S. 424. Giving the Board of Commissioners of any Seawall District now or hereafter formed in counties of this state in which are located navigable waters where the tides ebb and flow exclusive power to regulate the use of lands filled in and lying seaward from present high water mark; and authorizing such Board of Commissioners to adopt zoning regulations with respect to the use of land located within five hundred feet inland from present high water mark.

S. 423. Authorizing the Board of Commissioners of any Sea Wall District, now or hereafter formed in any county in this State in which are located navigable waters where the tides ebb and flow, to acquire from the Governor of Alabama, soil under any navigable water in said county, lying between the present high water mark and any Sea Wall which such Commissioners may hereafter erect, and fill the same in and reserve a portion thereof for public use; and directing that all land so filled in seaward from high water mark and within two hundred and fifty (250) feet inland from such Sea Wall shall be forever reserved for public purposes; and authorizing said Sea Wall Commissioners to sell the balance of such land so filled in and not so reserved, to the upland owners; and authorizing said Commissioners to construct, maintain and operate public roads and public boulevards at any point on any land so filled in seaward from present high water mark.

S. 416. To amend Section 1 and repeal Sections 2, 3 and 4 of an Act, entitled an Act, "To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry County, Alabama, since the first day of January 1913 and prior to the first day of August 1919, to be registered and paid out of the fine and forfeiture fund of said county," approved August 16, 1919.

S. 414. To repeal Section 2 of an Act entitled "An Act to authorize and require the Commissioners Court of Lamar County to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the Clerk of the Circuit Court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees" which said act was approved on Dec. 3, 1896.

S. 411. To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama.

S. 404. To alter or re-arrange the boundary lines of the City of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory; beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress Street with the north bank of the Tennessee River; thence westwardly with the north bank of the Tennessee River to the east bank of Cypress Creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road bridge over Cypress Creek; thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street the present corporation line to the point of beginning.

S. 402. To create and form a Sea Wall District in Mobile County, Alabama, to be known as "Mobile Sea Wall District", for the purpose of building and maintaining Sea Walls and other protection against seas, waves, storms and floods; to provide for the appointment of a Board of Commissioners of said District and to provide for the building and maintaining of Sea Walls and other protection against seas, waves, storms and floods in said district and to define the duties and powers of the Board of Commissioners of said Mobile Sea Wall District and to provide for the fixing of the compensation of the chairman and chief engineer of said Board of Commissioners and to provide for the assessment of the whole or any part of the costs of the construction of such improvement against the land in said district, to the extent of the increased value of such land by reason of the special benefits derived from said improvements, and to provide for the collection of such assessment and to provide for the issuance of bonds by such district without an election.

S. 379. To further provide for construction and maintenance of the public roads and bridges of the County of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said County; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said county to the Road and Bridge Fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this act; all of which under directions of the Commissioner's Court of said County; providing penalties for violations of and failures

to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date for this act to take effect.

S. 378. To repeal an Act entitled an Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act," approved September 28th, 1923.

S. 377. To require the Boards of Revenue and Road Commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty-five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as Road Engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict with this Act.

S. 381. To fix the compensation of the Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States Census, or any such census which may hereafter be taken.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 289. To amend Section 3810 of the Code of Alabama of 1923.

S. 288. To further regulate the issuance, collection and settlement of executions for fines, costs and forfeitures in criminal cases.

S. 287. To further regulate the issuance, collection and settlement of executions in cases tried or disposed of in the Circuit Courts of the State other than Criminal cases.

H. 1008. To amend Section 3023, 3024, and 3025 of the Code of Alabama.

H. 1007. To amend Section 4928 of the Code of Alabama.

H. 1003. To continue in effect all general laws based upon population until the final adjournment of the regular session of the Legislature next after any Federal Census which reduces below the minimum or increases above the maximum the population basis of any such general law.

H. 1002. To permit Justices of the Peace and Notaries Public, who are ex officio Justices of the Peace, residing in and exercising jurisdiction in territory annexed to any city in this state which city has a population of not less than forty thousand population and not more than fifty-five thousand according to last Federal Census and wherein is located a Court of Common Pleas or an inferior Court with the jurisdiction of a Justice of the Peace, to continue in the exercise of the functions of their respective offices to the expiration of their present terms.

H. 997. To provide for the sale or partition of lands in which decedent had an interest as partner; Jurisdiction declared and proceedings required to effectuate such sale or partition.

H. 973. To authorize the State Board of Administration, with the approval of the Governor, to sell or otherwise dispose of land and other properties of the State and to make contracts relative thereto and execute deeds therefor in the name of the State of Alabama.

H. 957. To amend Section 10620 of the Code of 1923 of the State of Alabama, to provide for the probate and record in the courts of Alabama, of wills previously admitted to probate and record in the courts of other states, territories, districts, and countries subject to the jurisdiction of the United States, and of foreign countries, not subject to the jurisdiction of The United States, and to provide for the contest of such wills in the Courts of Alabama, where such wills purport to dispose of land situated in the State of Alabama, and where such wills purport to dispose of personal property situated in The State of Alabama.

H. 730. To amend Section 8832 of the Code of Alabama.

H. 754. To compensate the Registers and Circuit Clerks of the judicial Circuits of Alabama for collecting and transmitting all moneys to the State of Alabama.

H. 791. To repeal Sections 2913, 2915 and 2920 and to amend Section 2914 of the Code of Alabama of 1923.

H. 832. To amend Section 6766 of the Code of 1923.

H. 875. To authorize the solicitor of any circuit in this State where judgments upon forfeited bail bonds have been obtained and placed upon record in the office of the Probate Judge of any county in this State, and such judgment appears to be a lien upon property of a person other than the defendant in said judgment of identical name with a defendant in such judgment, to file a bill of complaint in the name of the state in the Court of Equity of such circuit requiring such person to show

cause why an execution should not be levied upon his property in order that it may be determined by the court whether or not his property is subject to such lien.

H. 876. To advance the cause of education by exempting from taxation in this state all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax-year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes.

H. 886. To amend Section 5523 of the Code of Alabama of 1923.

H. 908. To further regulate inferior courts in cities having more than one hundred thousand population according to the last or any subsequent Federal Census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation and to provide for and fix the compensation of the deputy solicitor of such court, and to provide that this act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

H. 910. To regulate the allowance and payment of claims against the several counties of this state.

H. 951. To amend section 6503 of the Code of Alabama, 1923.

H. 757. To amend Sections 10332 and 10333 of the Code of Alabama of 1923.

H. 521. To amend Section 7005 of the Code of Alabama, 1923.

H. 520. To amend Section 7009 of the Code of Alabama, 1923.

H. 517. To more fully suppress crime in the State of Alabama by regulating the punishment thereof.

H. 225. To amend Section 6433 of the Code of Alabama.

S. 230. To amend Section 5619 of the Code of Alabama, 1923.

S. 236. To repeal Section 7206 of the Code of Alabama, 1923.

S. 239. To amend Section 8643 of the Code of Alabama, 1923.

S. 324. To fix and regulate the compensation of the Registers of the Circuit Court in counties in the State having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the payment of such compensation.

S. 353. To amend Section 9023 of the Code of Alabama of 1923.

S. 357. To amend Section 6779 of the Code of Alabama.

S. 244. To more fully suppress crime in the State of Alabama by regulating the punishment thereof.

S. 359. To amend Section 6784 of the Code of Alabama.

S. 208. To amend Section 7919 of the Code of Alabama, 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With Amendment). H. 624. To amend Section 3802 of the Code of Alabama of 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

(With substitute):

S. 351. To authorize Notaries Public who are stock holders, etc., of banks or other corporations to take affidavits and acknowledgments of written instruments and to protest for non-acceptance or non-payment negotiable instruments to which such banks or other corporations are parties or in which they are financially interested.

Mr. Allen, Chairman of the Standing Committee on Agriculture, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 960. To adopt the code of laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927 (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioners of agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama.

Mr. Starnes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 938. To provide that the rights of citizens of Alabama to hold office and to have, possess and enjoy the emolu-

ments thereof, who are otherwise qualified under the Constitution and Laws of Alabama, shall not be denied or abridged on account of sex.

S. 300. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of of not less than thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc." or any amendments thereto, or any subsequent acts of the Legislature relating to special school tax elections.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 286. To authorize each county to appropriate funds for the purpose of providing a scholarship for a resident of such county at the Alabama School of Trades and Industries.

S. 380. To fix the terms of the members of the Board of Control or the Board of Trustees of the Alabama School of Trades and Industries and to create an advisory council for the said school.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

(With substitute):

H. 742. To provide for the disposition of school property held in trust by County Boards of Education for school purposes and for the use of the proceeds thereof, including school property in any part of the territory the schools of which are under the jurisdiction of said county Boards of Education, when such territory is annexed to or absorbed within the boundaries of some town or city.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With Amendment) :

H. 640. To provide for the training of mentally retarded children of school age in towns of 6,000 or more population.

Mr. Winn, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee in Session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 51. To regulate traffic at railroad grade crossings in Alabama, and to provide penalties for violations of the provisions of this act.

Mr. Ward of Geneva, Chairman of the Standing Committee on Corporations, reported that said Committee, in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 777. To provide the method of making returns by corporations for assessment of their capital stock tax when such corporations own ninety per cent or more of the stock of domestic corporations and to provide the manner of fixing the valuation of the shares of such stock for taxation.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 477. Creating a State aircraft board, defining its duties, encouraging and regulating the navigation of the air by aircraft, authorizing cities to purchase or lease and maintain municipal aviation fields, and providing means for carrying out the provisions of and penalties for the violation of this act.

H. 774. To designate a certain road of Alabama as a State Trunk Road.

H. 959. To amend Section 21 of an act approved September 13, 1923, relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama.

H. 999. To make it unlawful for any person, firm or corporation to violate any rule, regulation or law which has heretofore been adopted or promulgated or may hereafter be adopt-

ed or promulgated by the court of county commissioners, board of revenue, or like governing body of any county under the authority conferred by law relating to the use, control, care, operation or maintenance of any such public road, bridge or ferry and to prescribe punishment for such violations.

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper and unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges, and to authorize Courts of County Commissioners, Boards of Revenue, or other like governing bodies of the several counties of Alabama, having a population of not less than ninety thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to issue new interest bearing warrants, at the same or a less rate of interest, in lieu of the warrants, the time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

Mr. McAdory, Chairman of the Standing Committee on Manufacturing, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 322. To regulate the Practice of General Contracting; and to establish a License Board; and to define its duties and powers; and to dispose of the revenue derived therefrom.

H. 867. To regulate the manufacture and sale of Flour known as Self-rising Flour or Flour containing a mixture of other ingredients; and to provide penalties for violation thereof.

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 465. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

H. 466. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

H. 468. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

H. 871. To amend Section 5191, Code of Alabama, 1923.

H. 924. To amend Section 1106, Code of Alabama, 1923, relative to Venereal Disease Control.

H. 925. To amend Sections 1438 and 1453 of the Code of 1923.

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

S. 258. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

Mr. Carter, Chairman of the Standing Committee on Military, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 806. To provide for the commitment of veterans of any war, military occupation or expedition, who are of unsound mind, to a United States Veterans' Bureau hospital for restraint, care and treatment.

S. 321. To authorize the Governor to re-convey to the National Guard units of Jefferson County for armory purposes lots 7 and 8, block 21, South Smithfield, which said lots were conveyed by battery D Armory Company to the State of Alabama under deed of date, September 29, 1925.

Mr. Hawkins, Chairman of the Standing Committee on Municipal rganization, reported that said committee in session had acted on the folowing bills and ordered same returned to the House with a favorable report:

S. 342. To authorize cities which now have or which may hereafter have a population of 60,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the street upon which such facilities are located to he extent of the increased value of such property by reason of the special benefits derived from such improvements.

H. 994. To amend Section 5 of an Act approved August 28, 1915, and entitled "An Act to regulate and restrict the expenditures made, or contracted to be made, by each city in the State of Alabama which now has, or which may hereafter have, a population of more than one hundred thousand, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the impeachment and removal from

office of each person, a member of the governing body of such city, who wilfully causes, abets or permits any unlawful expenditure to be made or contracts by such city."

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the State of Alabama.

Mr. Frey, Chairman of the Standing Committee on Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1010. To provide and create, under and in conjunction with the Department of Agriculture and Industries of the State of Alabama a sub-department or division thereof, to be known as the Department of Labor under the Department of Agriculture and Industries of the State of Alabama; to provide appropriation for the division or sub-department of labor, and for the expenses of the State Board of labor, and their compensation; provide that the commissioner of Agriculture and Industries shall have charge, control and direction of such sub-department; to create a State Board of Labor; to provide as to its membership, duties, authorities, and otherwise, and for the appointment of such members; to provide for the selection, naming, compensation, etc., of said State Board of Labor, under the Commissioner of Agriculture and Industries; and for clerks and clerical help, and other powers, duties and authorities of the Department of Labor, and its deputies; to provide when this law shall go into effect, and to repeal all laws and parts of laws in conflict with the provisions of this act.

Mr. Matthews, Chairman of the Standing Committee on Criminal Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 928. To amend Section 3643, Code of Alabama, 1923.

H. 929. To amend Section 3672, Code of Alabama, 1923.

H. 930. To amend Section 3651, Code of Alabama, 1923.

Mr. Lee, Chairman of the Standing Committee on Banks and Banking, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 309. To regulate payment of deposits in trust in Banks and Trust companies.

H. 312. To regulate the payment of deposits in banks made jointly in the name of two or more persons.

H. 590. To amend Section 8567 of the Code of Alabama.

S. 114. To provide for Organization, Operation and Supervision of Cooperative Savings and Credit Associations to be termed "Credit Unions" and to Define their powers.

Mr. Lee, Chairman of the Standing Committee on Banks and Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With Amendment):

H. 808. To provide a code of laws defining the powers of municipal corporations in this state with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvements, and to repeal all laws in conflict with the same.

Mr. Johnson, Chairman of the Standing Committee on Insurance and Insurance Companies, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 733. To amend Section 7589 of the Code by authorizing the compensation commission to adopt and enforce safety rules and regulations applicable to factories and workshops in the State of Alabama.

H. 800. To amend Section 8425 of the 1923 Code of Alabama relating to license from Insurance Commissioner; conditions of issuing;

H. 850. To define the terms "return premiums" as used in the Insurance and Revenue laws of this State."

Mr. Long, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 299. To provide for the election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILLS REPORTED ADVERSELY

Mr. Simpson, Chairman of the Standing Committee on Judiciary reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 52; H. 136; H. 235; H. 258; H. 436; H. 499; H. 500; H. 528; H. 695; H. 696; H. 697; H. 729; H. 752; H. 799; H. 820; H. 884; H. 965; H. 977; H. 992; S. 202; S. 242; S. 243 and S. 246.

Mr. Deloney, Chairman of the Standing Committee on Ways and Means reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 763 and H. 899.

Mr. Wade, Chairman of the Standing Committee on Appropriations reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 536; H. 890; H. 895; H. 918 and H. 953.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education reported that said Committee in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 892; H. 893 and H. 894.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 885; H. 947; H. 978 and H. 990.

Mr. Moxley, Chairman of the Standing Committee on Public Health reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 297.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organizations reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 927.

Mr. Matthews, Chairman of the Standing Committee on Criminal Administration reported that said Committee in ses-

sion had acted on the following bill and ordered same returned to the House with an adverse report:

H. 108.

Mr. Johnson, Chairman of the Standing Committee on Insurance and Insurance Companies reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 877 and H. 983.

Mr. Lee, Chairman of the Standing Committee on Banks and Banking reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

S. 383; H. 311; H. 314; H. 315; H. 316; H. 317; H. 329; H. 631; and H. 738.

The above and foregoing bills were severally read a second time and placed on the adverse calendar.

NOTICES IN WRITING

Mr. Hollis gave the following notice in writing:

I hereby give notice that on the 41st Legislative Day I will make a motion to direct the Judiciary Committee to act on House Bill No. 969 and report their action to the House at its next sitting.

D. G. W. Hollis,

Mr. Simpson gave the following notice in writing:

Notice is hereby given that I will on the next Legislative day move to take off the adverse calendar House Bill 528.

J. A. Simpson.

Mr. Monk gave the following notice in writing:

Notice is hereby given that on the next Legislative Day I will move to require the Committee on Revision of Laws to report on House Bill No. 897.

W. F. Monk.

RECOMMITTAL OF BILLS

On motion of Mr. Carter the bill:

H. 952. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

Was recommitted to the Standing Committee on Appropriations.

On motion of Mr. Martin the bill:

H. 248. To create a Building Committee to be composed of members of the present Alabama Memorial Commission, to contract for and supervise the building and furnishing of a building to be known as the Alabama Memorial Building, and to be clothed with the full authority and power for and in behalf of the State of Alabama, to perform all necessary acts looking to the carrying out of the intents of this Act and to provide an appropriation for the building and to provide necessary funds for the erection of said building.

Was recommitted to the Standing Committee on Appropriations.

On motion of Mr. Ward, of Tuscaloosa, the bill:

H. 937. To establish in the State Department of Education, under the control of the State Board of Education a division of Library service, to create an Advisory Library Board, and to make an appropriation therefor.

Was recommitted to the Standing Committee on Appropriations.

On motion of Mr. Allen the bill:

H. 919. To encourage the better production of agricultural products; raising better livestock and poultry; advancement of horticulture, boy's and Girl's club work, culinary arts, domestic science, women's work and to appropriate moneys for that purpose and to provide for the way the same shall be done.

Was recommitted to the Standing Committee on Appropriations.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bill:

By Mr. Mitchell:

S. 160: In relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bill the title to which is set out in the above and foregoing Message from the Senate was read one time and referred to an appropriate Standing Committee as follows:

Appropriations, S. 160.

To the Legislature of Alabama,
Capitol,
Montgomery, Alabama.
Gentlemen:

In response to House Joint Resolution No. 93, approved August 3, 1927, requesting that the State Tax Commission furnish detailed figures showing the approximate revenue to be derived from the recent revenue act, to-wit: House Bill 359, entitled "An Act In Reference to and to Further Provide for the General Revenue of the State of Alabama," we beg to submit the figures herein shown on the attached statement.

These figures were compiled by Mr. Moore, Associate Member of the Commission, and are based on the best figures available to him. They have been gone over by the Commission as a whole and the figures here submitted represent the composite opinion of the State Tax Commission as to the approximate amount of revenue to be derived from House Bill 359.

Respectfully submitted,
State Tax Commission of Alabama,
John D. McNeel,
Chairman.

ESTIMATE OF THE STATE TAX COMMISSION AS TO PROBABLE AMOUNT OF REVENUE TO BE DERIVED FROM HOUSE BILL 359, BEING AN ACT ENTITLED: "IN REFERENCE TO AND TO FURTHER PROVIDE FOR THE GENERAL REVENUE OF THE STATE OF ALABAMA," SUBMITTED IN RESPONSE TO SENATE RESOLUTION NO. 93.

		Probable Increase.
Section	2. Steam Railroads.....	\$ 711,881
	(Gross intrastate revenue 1926 at 2½ %, \$28,475.239.)	
Section	2.	
	(a) Telegraph Companies, 6,347.....	6,347
	(Gross revenue intrastate 1926 at 2½ %, \$253,893.)	
	(b) Telephone Companies: 132,638.....	132,638
	(Gross intrastate revenue, 1926 at 2½ %, \$5,305,539)	
	(c) Express Companies.	22,335
	(Gross intrastate revenue, \$893,419)	
	(d) Hydro-electric power:.....	269,042
	Hydro production 1926, 791,301,802 k.w.h., less estimated transmission loss and amount privately used. 118,695,270 k. w. h. (15%) 672,606,532 k.w.h. at 2/5 mills per k.w.h. Net taxable amount will probably reach 1,000,000,- 000 k.w.h. before end of 4 years).	
	(e) Coal	111,780

		Probable Increase	
(Production 22,356,000 tons in 1926 at ½c per ton increase.)			
(f)	Iron Ore	102,870	
(Production 6,858,000 tons in 1926 1½c per ton increase.)			
(g)	Slag\$20,000	60,000	
(Production approximately 1,750,000 tons annually. These estimates pre- pared by Mr. Aldridge, of Public Ser- vice Commission.)			
(g)	Minerals, other than coal and Iron ore	40,000	
(h)	Sleeping Car Companies.....	10,000	
(Only one in operation—flat increase)			
(j)	Tobacco Tax	900,000	
Section	3. Insurance	30,000	
Section	4. Actuary, Accountant	1,000	
	5. Adjuster.....		
	6. Architect.		
(50 paid, amount collected \$250.00, 1926.)			
Section	7. Attorneys	22,500	
(1,500-1926)			
Section 7½.	Fruit Cars	1,000	
Section	8. Dentists	6,000	
(410, 1926.)			
Section	9. Doctors	18,500	
(1,233 paid.)			
Section	10. Engineers	400	
(20 paid.)			
Section	11. Peddlers of Eyeglasses.....	1,000	
(20 paid.)			
Section	12. Oculists	1,000	
(107 paid.)			
Section	13. Hotels and Lodging Houses.....	7,000	
(208 paid.)			
Section	14. Directories	750	
(2 paid.)			
Section	15. State Fairs	2,000	
(17 paid.)			
Section	16. Concerts	3,000	
(479 paid.)			
Section 16½.	Gypsies and Traders:		
(This license is \$500 and it is doubtful if any revenue will be derived there- from.)			
Section	17. Motor Trucks:		
(No increase over present schedule).			
		Probable Increase	Decrease
Section 18½.	Automobile Dealers.....	\$	2,000
(Section 18½ changes the license so that where a license is taken by a com- pany in one county, salesmen of such company may sell in other counties. There will probably be a loss of \$2,000 under this section.)			
Section	20. Gasoline Filling Stations.....	50,000	

		Probable Increase	Decrease
	(2,617, Amount collected \$25,823.00)		
Section 21.	Freight Line Equipment Companies.....	6,000	
	(Amount collected \$3,000 (State rate of taxation from 65c on \$100 to 2%, which is equivalent to \$2.00 per \$100)		
Section 21½.	Deed Filing Tax.....	\$	25,000
	(This license is changed so that the amount paid for filing deeds or other instruments of like character shall not be on the total value of the property, but on such value less any mortgages or encumbrances thereon. This will make a very material reduction in the amount collected under this item. The amount collected for 1926 was \$157,392 A loss of \$25,000.00 will probably result under this section as rewritten.)		
Section 24.	Electric Public Utility License Tax.....	50,000	
	(Amount paid 1925, last full year 49,500 at 2 mill rate.)		
Section 25.	Shares of Stock (Domestic Corporations, Banks, etc.).....	\$	5,000
	(Under the exemption at the end of of this section of mortgage companies making loans on real estate and industrial loan companies, there will be a loss of perhaps \$5,000.)		
Section 27.	Oil Tax	200,000	
Section 42.	Corporation Permit on Foreign Corporations: (1,100).....	5,000	
Section 43.	Corporation Permit on Domestic Corporations. (4,600)	60,000	
Section 51.	Securities Tax:		
	(Amount estimated by Mr. Aldridge, of the Public Service Commission.....	125,000	
Section 53.	Franchise Tax	825,000	
Et seq.			
	Total	\$ 3,742,043	
	If hydro-electric power production at Muscle Shoals were added, based on 1926 sale, 432,629,000 k. w. h. at 2/5 mills, would be equivalent to.....	\$	173,050
	Total Estimated Increase.....	\$ 3,742,043	
	Total Estimated Decrease.....		32,000
	Total Estimated Increase.....	\$ 3,742,043	
	Hydro-electric		173050
			\$ 3,883,093

On motion of Mr. Rogers of Mobile the House concurred in and adopted the Report of the Conference Committee on the disagreement of the two Houses on the Senate amendment to the Bill H. 626. Said Report of Said Committee of Conference being as follows:

REPORT OF CONFERENCE COMMITTEE

August 4th, 1927.

Hon. W. C. Davis,
Lieutenant Governor and President of Senate,
Montgomery, Alabama.

Mr. President:

The Conference Committee appointed to confer with respect to the amendments passed by the Senate to House Bill 626, which amendments were not concurred in by the House, beg leave to report as follows:

That the Senate recedes from its amendment, and in lieu and as a substitute for House Bill 626, the Conference Committee recommends the passage of the attached substitute.

Respectfully submitted,

John Craft,
Chas. B. Teasley,
Fred Fite,

Senators.

Marion Richard Vickers,
C. M. A. Rogers,
C. W. Ashcraft,

Representatives.

Conference Committee.

SUBSTITUTE FOR H. 626

By Conference Committee:

H. 626: A Bill to be entitled an act to alter and rearrange the Bounary lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said city certain territory not included therein.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this Act, the boundary lines of the City of Mobile, Alabama, shall be altered and rearranged so as to be as follows:

Commencing at the southeast corner of township 4 south, range 1 west, thence west along the south boundary of said township to the middle of the south boundary of section 33, township 4 south, range 1 west; thence north along the middle line of said section to the middle of the north boundary of said section 33; thence west following the governmental land boundaries to the middle of the south boundary of section 29, township 4 south, range 1 west; thence north along the middle line of section 29 and continuing along the middle line of Section 20, township 4 south, range 1 west to an intersection with the northeastern right of way line of the Gulf, Mobile and Northern

Railway; thence in a generally northwesterly direction along said northeastern right of way line of the said railway with its curves or offsets to an intersection with the east line of the street known as Florida Street; thence northwardly along the east line of said street known as Florida Street to the south line of Springhill Road; thence eastwardly along the south line of Springhill Road to a point opposite the east line of the street known as Park Avenue; thence in a northerly direction across Springhill Road; and thence continuing northwardly along the east line of the street known as Park Avenue to the point where the east line of said street known as Park Avenue intersects, or would intersect if projected, the south bank of Three Mile Creek; thence down the south bank of Three Mile Creek with its meanderings to the west bank of Mobile River; thence east to the middle of the channel of Mobile River; thence north to an intersection with the east and west middle line of section 2, township 4 south, range 1 west; thence east along said middle line of section 2, and continuing along the middle line of section 1, township 4 south, range 1 west, to the eastern boundary of said township; thence south along the eastern boundary of said township 4 south, range 1 west to the southeast corner thereof, the point of beginning.

Section 2. That the boundary set out in Section 1 of this Act be and the same is hereby established as the corporate limits of the said City of Mobile.

Section 3. This Act shall go into effect on September 30th, 1927.

Section 4. Be it further enacted that all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Martin	St. John
Adcock	Graves	Merrill	Sanders (Conecuh)
Anderson	Grove	Miller (Marengo)	Sanders (Pike)
Baldwin	Harwood	Miller (Sumter)	Shepherd
Bartlett	Hawkins	Moxley	Simpson
Beebe	Hightower	Mullen	Smith
Brunson	Hollis	Nipper	Stewart (Calhoun)
Bryant	Hubbard	Parish	Tompkins
Burns	Hughes	Patterson	Tunstall
Byars	Jeter	Pegues	Vickers
Cannon	Johnson	Pitts	Waddell
Carter	Jordan (Washington)	Poole	Ward (Geneva)
Deloney	Langdon	Reeder	Ward (Tuscaloosa)
Denson	Lawler	Ringer	Ware
Desear	Lovelace	Rogers (Elmore)	Weldon
Edmundson	McAdory	Rogers (Mobile)	Winn
Edwards			

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen of the House:

I return herewith to the House of Representatives House Bill No. 681, without my approval. I suggest the following executive amendment which if concurred in by the Legislature of Alabama will remove my objection of said bill.

Amend the bill so that it will read as follows: "1936. (1216) Recorder; Power to Fine, Punish, Imprison, and Sentence to Hard Labor. The recorder trying any person for violation of any by-law ordinance of the city shall, upon conviction of such person, have the power to fine and imprison him and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of correction of the city; and, in the event the fines and cost are not presently paid, to require the offender or person thus in default to work out the fine and costs under the direction of the city authorities, allowing not exceeding one dollar for each day's service. No fine shall exceed one hundred dollars, and no sentence to imprisonment or hard labor shall exceed six months, and no female shall be required to work on the streets of the city, but the council may provide by ordinance for the hiring out, within the county, any male or female convicted of a violation of any city ordinance, for the payment of fine and costs, or during the time the prisoner was sentenced to hard labor or imprisonment, and the hirer of such convicts and the convict themselves shall be subject to inspection and shall be under the supervision and control of the State Convict Department. All contracts of hiring shall be approved by the Mayor, and recorded in the office of the Judge of Probate of the County,

The recorder trying any case if the defendant be convicted may accept a confession of judgment of the defendant and sureties for the fine and cost which may contain a waiver of exemptions as to personality, and if such judgment is not paid in thirty days the recorder shall issue an execution thereon against the defendant and sureties which may be collected by the Chief of Police of the municipality or any lawful officer just as are executions issued on judgments from courts of law in this State. This Act shall take effect immediately upon its passage and approval by the Governor."

August 2, 1927.

Respectfully,
Bibb Graves, Governor.

On motion of Mr. Jordan of Etowah the House concurred in and adopted the amendment proposed by the Governor to the bill .H. 681, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker

Allen

Anderson

Ashcraft

Bartlett

Beebe

Bryant

Burns

Byars

Christian

Cook

Darden

Deloney

Denson

Desear

Frey

Golson

Grove

Gullatt

Harwood

Hawkins

Hightower

Hollis

Howard

Howell

Hubbard

Jeter

Johnson

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick	Mullen	Powell	Sanders (Pike)
Lee	Nipper	Quillin	Shivers
Lovelace	Norman	Rankin	Smith
McAdory	Owens	Reeder	Starnes
Miller (Marengo)	Parish	Ringer	Stephens
Miller (Sumter)	Pegues	Rivers	Stewart (Bibb)
Molette	Pitts	Rogers (Elmore)	Thompson
Monk	Poole	Sanders (Conecuh)	Tompkins
Moxley			

—65

Which was a majority of the whole number elected to the House and the bill:

H. 681. To amend Section 1936 of the Code of 1923.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	Lee	Powell
Allen	Gullatt	Lovelace	Quillin
Anderson	Harwood	McAdory	Rankin
Ashcraft	Hightower	Miller (Marengo)	Reeder
Bartlett	Hollis	Miller (Sumter)	Ringer
Beebe	Howard	Molette	Rivers
Bryant	Howell	Monk	Rogers (Elmore)
Burns	Hubbard	Moxley	Sanders (Conecuh)
Byars	Hughes	Mullen	Sanders (Pike)
Christian	Jeter	Nipper	Shivers
Cook	Johnson	Norman	Smith
Darden	Jones (Bullock)	Owens	Starnes
Deloney	Jones (Cleburne)	Parish	Stephens
Denson	Jordan (Etowah)	Pegues	Stewart (Bibb)
Desear	Jordan (Washington)	Pitts	Thompson
Frey	Kirkpatrick	Poole	Tompkins
Golson			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen of the House:

I herewith return to the House of Representatives, the body in which it originated, House Bill No. 574, without my approval. I suggest the following executive amendment, which if concurred in will remove all objections to the bill.

Amend Section 6, by adding after the words "said successor in each case being elected by the Senate," the following words "and in the event of a vacancy in said office caused by the death, the resignation, or the re-

moval of said judge his successor shall be appointed by the Governor for the unexpired term." Further amend said Section by inserting in the sentence therein reading as follows, "there shall also be appointed by the judge a Clerk of said court, who shall hold office during the term of the Judge of said court," the words "with the approval of the Advisory Board herein set out," so that the sentence shall read as follows: "There shall also be appointed by the Judge, with the approval of the Advisory Board herein set up, a clerk of said court who shall hold office during the term of the judge of said court."

Amend Section 11. of said act, by adding after the words where they first occur in said Section, "Or the Attorney for its parents or guardian," the following words, "And the State Child Welfare Department," or its accredited agents."

Amend Section 17 by inserting after the words "one deputy probation officer," where they first occur therein the following words, "With the approval of the Advisory Board herein provided for," Further amend Section 17, by adding at the end thereof the following, "Provided, however, that nothing in this Section or in any other Section of this Act shall be construed as authorizing the judge to commit a dependant or delinquent child to any society or corporation public or private, having as their object the protection or aid of dependent, neglected, or delinquent children which is outside of the State of Alabama and which has not acquired a proper license from the Child Welfare Department."

August 4, 1927.

Respectfully,
Bibb Graves, Governor.

On motion of Mr. Sanderson the House concurred in and adopted the amendment proposed by the Governor to the bill H. 574, said Governor's amendment, being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	McAdory	Reeder
Adcock	Graves	Martin	Ringer
Allen	Green	Matthews	Rivers
Beebe	Grove	Merrill	St. John
Brunson	Guy	Moxley	Sanderson
Burleson	Harwood	Mullen	Shivers
Burns	Hawkins	Nipper	Smith
Byars	Hollis	Norman	Starnes
Cannon	Howard	Owens	Stephens
Carter	Howell	Parish	Tunstall
Cockrell	Hughes	Pegues	Vickers
Cook	Jeter	Pitts	Waddell
Darden	Johnson	Poole	Ware
Desear	Lawler	Powell	Webb
Fite	Lee	Quillin	Weldon
Frey	Lovelace	Rankin	Winn
Golson			

—65

Which was a majority of the whole number elected to the House.

And the bill:

By Mr. Sanderson:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the State, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties juvenile and domestic relations courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency, neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an advisory board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Miller (Sumter)	Starnes
Beebe	Grove	Molette	Stephens
Brunson	Gullatt	Monk	Stewart (Bibb)
Bryant	Harwood	Owens	Stewart (Calhoun)
Burleson	Hawkins	Parish	Thompson
Burns	Hughes	Patterson	Tompkins
Byars	Johnson	Rogers (Elmore)	Tunstall
Cannon	Jones (Bullock)	Rogers (Mobile)	Vickers
Carter	Jones (Cleburne)	St. John	Waddell
Cook	Jordan (Washington)	Sanders (Conecuh)	Wallace
Darden	Kirkpatrick	Sanders (Pike)	Ward (Geneva)
Denson	Langdon	Sanderson	Ward (Tuscaloosa)
Desear	Luck	Shepherd	Ware
Edmundson	McAdory	Shivers	Webb
Edwards	Martin	Simpson	Weldon
Goode	Miller (Marengo)	Smith	Winn
Goodwyn			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,

Montgomery, Alabama.

Gentlemen of the House:

I am returning herewith to the House, as the body in which it originated, House Bill No. 573, without my approval. I suggest the following executive amendments, which if concurred in will remove my objections to the bill.

Strike from Section 1, of the bill the words "or without limitation," where they occur in Section 1. Amend further by striking from Section 3, the words, "or unlimited", where they occur therein.

These amendments are suggested for the reason that in my judgment it will be violative of the expressed terms, as well as the spirit, of Section 22 of the Constitution of Alabama, 1901, to grant any charter, franchise or other powers of the State for an unlimited period of time.

Respectfully,

August 4, 1927.

Bibb Graves, Governor.

On motion of Mr. Sanderson the House concurred in and adopted the amendment proposed by the Governor to the bill H. 573, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Christian	Desear	Grove
Baldwin	Cockrell	Edwards	Gullatt
Bartlett	Cook	Fite	Harwood
Brunson	Darden	Goode	Hawkins
Bryant	Deloney	Graves	Howard
Carter	Denson	Green	Howell

Hubbard	Molette	Powell	Sanderson
Jones (Bullock)	Monk	Quillin	Simpson
Jones (Cleburne)	Moxley	Rankin	Stephens
Jordan (Etowah)	Mullen	Reeder	Stewart (Bibb)
Jordan (Washington)	Nipper	Ringer	Stewart (Calhoun)
Kirkpatrick	Parish	Rivers	Thompson
Lee	Patterson	Rogers (Elmore)	Ware
McAdory	Pegues	Rogers (Mobile)	Webb
Martin	Pitts	Sanders (Conecuh)	Weldon
Miller (Marengo)	Poole	Sanders (Pike)	Winn
Miller (Sumter)			

—65

Which was a majority of the whole number elected to the House.

And the bill:

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Green	Miller (Sumter)	Ringer
Allen	Grove	Molette	Rivers
Baldwin	Gullatt	Monk	Rogers (Elmore)
Brunson	Harwood	Moxley	Rogers (Mobile)
Bryant	Hawkins	Mullen	Sanders (Conecuh)
Carter	Howard	Nipper	Sanders (Pike)
Christian	Howell	Norman	Sanderson
Cockrell	Hubbard	Parish	Simpson
Cook	Jones (Bullock)	Patterson	Stephens
Darden	Jones (Cleburne)	Pegues	Stewart (Bibb)
Deloney	Jordan (Etowah)	Pitts	Stewart (Calhoun)
Denson	Jordan (Washington)	Poole	Ward (Tuscaloosa)
Desear	Kirkpatrick	Powell	Ware
Edwards	Lee	Quillin	Webb
Fite	McAdory	Rankin	Weldon
Goode	Miller (Marengo)	Reeder	Winn
Graves			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen of the House:

At the request of the Representative introducing the Bill, I am returning House Bill 221, relative to the creation of the office of County Solicitor

of Lawrence County, to the House of Representatives, in which it originated, without my approval.

Respectfully,
Bibb Graves, Governor.

August 4, 1920.

GOVERNOR'S MESSAGE

The question was upon the passage of the Bill, the vote of the Governor to the contrary notwithstanding. And the House by a vote of Yeas, 0; Nays, 65; declined to pass said Bill H. 221 over the vote of the Governor.

Yeas, 0; Nays, 65.

Nays:

Messrs.:

Mr. Speaker	Golson	McAdory	Reeder
Adcock	Goode	Martin	Ringer
Allen	Green	Molette	Rivers
Baldwin	Grave	Monk	St. John
Bartlett	Gullatt	Mullen	Simpson
Beebe	Guy	Nipper	Smith
Bryant	Hollis	Norman	Starnes
Burns	Howard	Owens	Stephens
Byars	Howell	Parish	Tunstall
Carter	Hubbard	Patterson	Vickers
Cook	Hughes	Pegues	Waddell
Darden	Jeter	Pitts	Wallace
Deloney	Johnson	Poole	Ware
Denson	Lawler	Powell	Webb
Desear	Lee	Quillin	Weldon
Fite	Luck	Rankin	Winn
Frey			

—65

UNFINISHED BUSINESS

The House proceeded to the consideration of the unfinished business which was the bill:

H. 544. To prohibit courts of county commissioners or boards of revenue in the State or Alabama, from awarding contracts in which the county of such commissioners court or board of revenue is interested, to any person related, to any member of such commissioners court or board of revenue, by blood or marriage within the fourth degree, or to employ any such relatives to do any work for said county, and to provide that any warrant issued for work done in violation thereof shall not be a legal charge against the funds of such county, and to provide punishment for the violation thereof.

And pending amendment.

And on motion of Mr. Ward of Tuscaloosa the further consideration of the Bill H. 544 and pending amendment was postponed until the next Legislative Day.

BILLS ON THIRD READING

(With amendment):

H. 887. To make an additional appropriation for the maintenance of the State Child Welfare Department.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said amendment being as follows:

Amendment to Section 1 of H. B. 887 by changing the words and figures "Seventy-five thousand (\$75,000.00) Dollars" where they appear in said section and insert in lieu thereof the words and figures "Fifty Thousand (\$50,000.00) Dollars."

And on motion of Mr. Ware the amendment reported by the Standing Committee on Appropriations was laid upon the table. And the bill:

H. 887. To make an additional appropriation for the maintenance of the State Child Welfare Department.

Was read a third time at length and passed.

Yeas, 91; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jordan (Washington)	St. John
Adcock	Fite	Kirkpatrick	Sanders (Conecuh)
Allen	Frey	Langdon	Sanders (Pike)
Anderson	Golson	Lawler	Sanderson
Ashcraft	Goode	Lee	Simpson
Baldwin	Graves	Lovelace	Smith
Bartlett	Green	McAdory	Starnes
Beebe	Grove	Matthews	Stephens
Brunson	Gullatt	Merrill	Stewart (Bibb)
Bryant	Guy	Miller (Marengo)	Stewart (Calhoun)
Burleson	Harwood	Miller (Sumter)	Thompson
Burns	Hawkins	Monk	Tompkins
Byars	Hightower	Mullen	Tunstall
Cannon	Hollis	Nipper	Vickers
Carter	Howard	Owens	Waddell
Christian	Howell	Parish	Wallace
Cockrell	Hubbard	Patterson	Ward (Geneva)
Cook	Hughes	Pegues	Ward (Tuscaloosa)
Darden	Jeter	Pitts	Ware
Deloney	Johnson	Ringer	Webb
Denson	Jones (Bullock)	Rivers	Weldon
Desear	Jones (Cleburne)	Rogers (Elmore)	Winn
Edmundson	Jordan (Etowah)	Rogers (Mobile)	

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And on motion of Mr. Ware the Bill H. 887 was ordered sent forthwith to the Senate without Engrossment.

H. 318. (with amendment): To make appropriations to the State Board of Education for the further support maintenance and development of public education in Alabama, through agencies, services and institutions under its general or direct control

or subject to its rules and regulations; to make appropriations to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama, for further support, maintenance and development; and to prescribe conditions of apportionment and expenditure of these appropriations.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said amendment being as follows:

Amend H. 318 as follows:

Amend Section 1 of House Bill 318 by striking out the words and figures, "One Million (\$1,000,000.00) Dollars", and inserting in lieu thereof the words and figures, "Nine Hundred Thousand (\$900,000.00) Dollars".

Amend Section 2 of House Bill 318 by striking out the words and figures "Five Hundred Thousand (\$500,000.00) Dollars", and inserting in lieu thereof the words and figures, "Eight Hundred and Fifty Thousand (\$850,000.00) Dollars".

And on motion of Mr. Ward of Tuscaloosa the amendment reported by the Standing Committee on Appropriations was laid upon the table

Mr. Baldwin offered the following amendment to the Bill H. 318.

Amend House Bill 318 as follows:

By adding, immediately after the word "Act" in line 10 on page 1 of said bill the following: "And provided that at least ninety-six per centum of the amounts named in Section one and two hereof shall be expended for teachers' salaries only."

And on motion of Mr. Ward of Tuscaloosa the amendment offered by Mr. Baldwin was laid upon the table.

Mr. Long offered the following amendment to the Bill H. 318.

Amend H. B. 318 by adding the following section:

Section 31. That the sums hereby appropriated shall be payable on the approval of the Governor in whole or in part, from time to time as in his opinion the condition of the Treasury may warrant.

And the amendment offered by Mr. Long was adopted.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burns	Edmundson	Harwood
Adcock	Byars	Edwards	Hawkins
Anderson	Carter	Fite	Hightower
Ashcraft	Cockrell	Frey	Howard
Baldwin	Cook	Goode	Howell
Bartlett	Darden	Graves	Hubbard
Beebe	Deloney	Green	Hughes
Brunson	Denson	Grove	Jeter
Bryant	Desear	Guy	Johnson

Jones (Bullock)	Miller (Sumter)	Ringer	Stephens
Jones (Cleburne)	Molette	Rogers (Elmore)	Stewart (Calhoun)
Jordan (Etowah)	Monk	Rogers (Mobile)	Thompson
Jordan (Washington)	Moxley	St. John	Tompkins
Kirkpatrick	Nipper	Sanders (Conecuh)	Tunstall
Lee	Parish	Sanders (Pike)	Vickers
McAdory	Patterson	Sanderson	Waddell
Martin	Pegues	Shepherd	Ward (Geneva)
Matthews	Pitts	Simpson	Ward (Tuscaloosa)
Merrill	Poole	Smith	Ware
Miller (Marengo)	Reeder	Starnes	Webb

—80

Mr. Ward of Tuscaloosa offered the following amendment to the Bill H. 318.

Amend House Bill 318 as follows: By striking out the caption or title thereof and inserting in lieu thereof the following:

"A Bill to be entitled An Act "in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations."

Amend H. B. 318 as follows:

Amend Section 1 of House Bill 318 by striking out the words and figures "One Million (\$1,000,000.00) Dollars", and inserting in lieu thereof the words and figures, "Nine Hundred Thousand (\$900,000.00) Dollars".

Amend Section 2 of House Bill 318 by striking out the words and figures, "Five Hundred Thousand (\$500,000.00) Dollars," and inserting in lieu thereof the words and figures "Eight Hundred and Fifty Thousand (\$850,000.00) Dollars."

Amend House Bill 318, by adding the following to Section 4 of said Bill, to-wit:

"Provided further that all appropriations made in any section of this Act for Daphne State Normal School shall not be available unless the town or community of Daphne first provides at its own expense a suitable building site of suitable acreage for said State Normal School, approved by the Governor, the State Superintendent of Education and the Chairman of the State Board of Administration, at the present site or some new site near by the present site, and in addition, the town or community of Daphne shall make adequate provision for sanitary conditions, sewage disposal facilities, light, water, and a school district with a school population adequate for practice teaching

facilities as required by the standards of the American Association of Teachers' Colleges; and provided that when these conditions or provisions have been fully met by the town or community of Daphne as determined by the judgment or opinion of the Governor, the State Superintendent of Education, and the Chairman of the State Board of Administration, the Governor shall authorize the release of the appropriations as provided in this Act for the State Normal School located at Daphne, Provided further that if the State Normal School is moved from its present site at Daphne, in accordance with the provisions of this Section, all appropriations made to the State Normal School at Daphne provided for in this Act or heretofore or hereafter provided by law for the support of the said institution shall be applied and used exclusively for the Daphne State Normal School as re-located and for the same purposes as provided for in the Acts making the appropriations.

Provided further that the Thirty Thousand (\$30,000.00) Dollars raised by the town or community of Daphne and paid into the school's treasury, in pursuance of an Act adopted the 29th day of September, 1919, reported Acts 1919, page 741, is to be used and is required to be used in assisting, or aiding the town or community of Daphne, in meeting or complying with the provisions and conditions imposed upon the said town or community of Daphne by this Act before the appropriations herein made for the Daphne Normal are to be released or made available for the use of said Daphne Normal, and nothing herein shall be construed to repeal the appropriations made by said Act of September 29, 1919, the condition therein made having been fully complied with.

Amend House Bill 318 by striking out Section 10 thereof and inserting in lieu thereof the following:

"Section 10. That the two present annual appropriations to the Alabama School of Trades and Industries of Five Thousand (\$5,000.00) Dollars each are hereby continued; and in addition to these appropriations there is hereby appropriated out of the Treasury of the State to the State Board of Education for the further support and maintenance of the Alabama School of Trades and Industries, for the year beginning October 1, 1927, the sum of Twenty Thousand (\$20,000.00) Dollars, and thereafter there shall be an increase annually in the sum of Five Thousand (\$5,000.00) Dollars, until the aggregate appropriations including the present annual appropriations of Ten Thousand (\$10,000.00) Dollars shall be Sixty Thousand (\$60,000.00) Dollars, which amount shall be and is hereby appropriated annually thereafter for said institution."

Amend House Bill No. 318 by striking out Section 12 thereof and inserting in lieu thereof the following:

"Section 12. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1927, and for each and every year thereafter, to the Alabama College, the Alabama Polytechnic Institute, and the University of Alabama an amount equal to the appropriations made and available for these institutions for the fiscal year beginning October 1, 1926, which sums accrued in accordance with an Act approved September 24, 1923, and entitled An Act to make Appropriations to the Alabama College, the University of Alabama, and the Alabama Polytechnic Institute and as set out in prior Acts, and that the monies herein appropriated shall remain the same annually to each institution and shall be devoted by each of the said institutions to the same purposes and in the same amounts annually as provided by law; provided, however, that (1) the appropriation of Forty Thousand (\$40,000.00) Dollars made in lieu of the proceeds formerly received by the Alabama Polytechnic Institute from funds arising from the sale of fertilizer tags, which appropriation is made by Section 1911 of the Code of Alabama of 1907, and subsequent and prior Acts, and (2) the revenue heretofore received by said Institution by virtue of Section Six of Article Eighteen of the Act of 1923 known as the Agricultural Code and prior Acts, by which Acts said Institute received one-fourth of the proceeds accruing from the illuminating oil inspection fee, and (3) the revenue accruing to said Institute, by virtue of existing laws, from chemical analyses made for the Department of Agriculture and Industries, shall not be hereafter available, but shall be null and void, in the event that an Act (House Bill 725) introduced at the current session of Legislature of 1927, entitled, An Act to Make Appropriations to the Alabama Polytechnic Institute in Lieu of Certain other Appropriations and Revenues, the Benefit of which said Alabama Polytechnic Institute has heretofore received or secured is enacted into law, it being the intent of said Act to readjust the afore mentioned revenues in conformity to certain proposed amendments to the Agricultural Code. That in addition to the foregoing appropriations provided for in this section, there is hereby appropriated out of the Treasury of the State for further support and maintenance; To the Alabama College for the year beginning October 1, 1927, the sum of One Hundred Eighty-seven Thousand, Six Hundred Twenty-three (\$187,623.77) Dollars and Seventy-seven Cents, for the year beginning October 1, 1928, the sum of One Hundred Ninety-six Thousand, Seven Hundred Ninety (\$196,790.44) Dollars and Forty-four Cents, for the year beginning October 1, 1929, the sum of One Hundred Ninety-eight Thousand, Six Hundred Twenty-three (\$198,623.77) Dollars and Seventy-seven Cents, for the year beginning October 1, 1930, and for each and every year thereafter the sum

of Two Hundred Thousand, Four Hundred Fifty-seven (\$200,-457.11) Dollars and Eleven Cents; to the Alabama Polytechnic Institute, for the year beginning October 1, 1927, the sum of Three Hundred Thirty-two Thousand, Six Hundred Five (\$332,-605.78) Dollars and Seventy-eight Cents, for the year beginning October 1, 1928, the sum of Three Hundred Forty-eight Thousand, Eight Hundred Fifty-five (\$348,855.78) and Seventy-eight Cents; for the year beginning October 1, 1929, the sum of Three Hundred Fifty-two Thousand, One Hundred Five (\$352,105.78) Dollars and Seventy-eight Cents, for the year beginning October 1, 1930, and for each and every year thereafter the sum of Three Hundred Fifty-five Thousand, Three Hundred Fifty-five (\$355,355.78) Dollars and Seventy-eight Cents; to the University of Alabama, for the year beginning October 1, 1927, the sum of Three Hundred Thirty-two Thousand, Six Hundred Five (\$332,605.78) Dollars and Seventy-eight Cents, for the year beginning October 1, 1928, the sum of Three Hundred Forty-eight Thousand, Eight Hundred Fifty-five (\$348,855.78) Dollars and Seventy-eight Cents, for the year beginning October 1, 1929, the sum of Three Hundred Fifty-two Thousand, One Hundred Five (\$352,105.78) Dollars and Seventy-eight Cents, for the year beginning October 1, 1930, and for each and every year thereafter the sum of Three Hundred Fifty-five Thousand, Three Hundred Fifty-five (\$355,355.78) Dollars and Seventy-eight Cents; provided that of the amount of additional funds appropriated by this Act and made available for the Alabama Polytechnic Institute Twenty-five (25%) per cent shall be used for agricultural research and agricultural extension; provided further that the amount of additional funds appropriated by this Act and made available for the University of Alabama, Twenty-five (25%) per cent shall be used for medicine, extension and research.

Amend House Bill 318 by striking out Sections 13 and 14 and substitute the following:

Section 13. That there is hereby appropriated out of the State Treasury to the State Board of Education for the purpose of providing additions to grounds, buildings and equipment and for the payment of outstanding indebtedness incurred for capital outlay; For the State Normal School located at Troy, the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1928, the sum of One Hundred Fifty Thousand (\$150,000.00) Dollars for the year beginning October 1, 1929 and the sum of One Hundred Fifty Thousand (\$150,000.00) Dollars for the year beginning October 1, 1930; for the State Normal School located at Florence the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1928, the sum of One Hundred Thousand (\$100,-

000.00) Dollars for the year beginning October 1, 1929, and the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1930; for the State Normal School located at Jacksonville the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1928, the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1929, and the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1930; for the State Normal School located at Livingston the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1928, the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1929, and the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1930; for the State Normal School located at Daphne the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1928, the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1929, and the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1930; for the State Normal School located at Montgomer the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1928, the sum of Seventy-five Thousand (\$75,000.00) Dollars for the year beginning October 1, 1929, and the sum of Seventy-five Thousand (\$75,000.00) Dollars for the year beginning October 1, 1930; for the Alabama School of Trades and Industries located at Gadsden the sum of Seventy-five Thousand (\$75,000.00) Dollars for the year beginning October 1, 1928, the sum of Seventy-five Thousand (\$75,000.00) Dollars for the year beginning October 1, 1929, and the sum of One Hundred Thousand (\$100,000.00) Dollars for the year beginning October 1, 1930; for the Agricultural and Mechanical Institute for Negroes located at Normal the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1928, the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1929, and the sum of Fifty Thousand (\$50,000.00) Dollars for the year beginning October 1, 1930; provided that before the funds herein to be allocated to the Normal School located at Montgomery and to the Agricultural and Mechanical Institute located at Normal shall be paid out of the State Treasury, evidence must be submitted to the State Superintendent of Education showing that additional funds are available for these institutions from other sources for the purposes set out in this Act in amounts equal to one-half of that for which requisition is made; provided further that the appropriations set out in this section shall be paid quarterly, October 1st, January 1st, April 1st, and July 1st of each year; provided, however, that all appropriations made in this Section 13 to the State Normal School located at

Troy, the State Normal School located at Florence, the State Normal School located at Jacksonville. The State Normal School located at Livingston, the State Normal School located at Daphne, the State Normal School for Negroes located at Montgomery, and the Agricultural and Mechanical Institute for Negroes located at Normal shall not be available, but shall be void, in the event a Constitution Amendment is submitted and ratified prior to October 1, 1928, making available funds for buildings or improvements for the above named school or institution.

Section 14. That there is hereby appropriated out of the Treasury of the State for the purpose of providing additions to grounds, buildings and equipment, and for the payment of outstanding indebtedness incurred for capital outlay: To the Alabama College the sum of Two Hundred Thousand (\$200,000.00) Dollars for the year beginning October 1, 1928, the sum of Two Hundred Thousand (\$200,000.00) Dollars for the year beginning October 1, 1929 and the sum of Two Hundred Thousand (\$200,000.00) Dollars for the year beginning October 1, 1930; to the Alabama Polytechnic Institute the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1928, the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1929, and the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1930; to the University of Alabama the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1928, the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1929, and the sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars for the year beginning October 1, 1930; provided that the appropriations set out in this Section shall be paid quarterly, October 1st, January 1st, April 1st, and July 1st, of each year upon requisition of the proper official of each institution upon the Auditor who shall draw his warrant therefor; provided however, that all appropriations made in this Section 14 to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama shall not be available, but shall be void, in the event a Constitutional Amendment is submitted and ratified prior to October 1, 1928, making available funds for buildings or improvements for the above named schools or institutions.

Amend Section 23 of House Bill 318 by adding the following at the end of said Section 23 as a new sentence:

Permanent buildings in course of construction at the time of the approval of this Act shall be eligible to share in the proposed increases authorized by this section.

Amend House Bill No. 318 by adding at the end thereof the following as a new section:

Section 32. "The several appropriations herein provided for shall be payable out of the special trust fund created and set apart for educational purposes by Section 2 of the General Revenue Bill of 1927; and in the event such trust fund is insufficient to cover said appropriations, then the balance of the same shall be payable out of any other funds in the treasury not otherwise appropriated.

And the amendment offered by Mr. Ward of Tuscaloosa was adopted.

Yeas, 89; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lee	Ringer
Adcock	Golson	McAdory	Rivers
Allen	Goode	Martin	Rogers (Elmore)
Anderson	Graves	Matthews	St. John
Ashcraft	Grove	Merrill	Sanders (Conecuh)
Baldwin	Guy	Miller (Marengo)	Sanders (Pike)
Bartlett	Harwood	Miller (Sumter)	Sanderson
Beebe	Hawkins	Molette	Smith
Bryant	Hightower	Monk	Starnes
Burleson	Hollis	Moxley	Stephens
Burns	Howard	Mullen	Stewart (Calhoun)
Byars	Howell	Nipper	Thompson
Cannon	Hubbard	Norman	Tompkins
Carter	Hughes	Owens	Vickers
Christian	Jeter	Parish	Waddell
Cockrell	Johnson	Patterson	Wallace
Cook	Jones (Bullock)	Pegues	Ward (Geneva)
Darden	Jones (Cleburne)	Pitts	Ward (Tuscaloosa)
Deloney	Jordan (Etowah)	Poole	Ware
Denson	Jordan (Washington)	Powell	Webb
Desear	Langdon	Quillin	Weldon
Edwards	Lawler	Reeder	Winn
Fite			

—89

And the Bill:

H. 318. To make appropriations to the State Board of Education for the further support, maintenance and development of public education in Alabama, through agencies, services and institutions under its general or direct control or subject to its rules and regulations; to make appropriations to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama, for further support, maintenance and development; and to prescribe conditions of apportionment and expenditure of these appropriations.

As amended was read a third time at length and passed.

Yeas, 90; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Golson	McAdory	Ringer
Adcock	Goode	Martin	Rivers
Allen	Grove	Matthews	Rogers (Elmore)
Anderson	Gullatt	Merrill	St. John
Ashcraft	Guy	Miller (Marengo)	Sanders (Conecuh)
Baldwin	Harwood	Miller (Sumter)	Sanders (Pike)
Bartlett	Hawkins	Molette	Sanderson
Beebe	Hightower	Monk	Starnes
Burleson	Hollis	Morrow	Stephens
Burns	Howard	Moxley	Stewart (Bibb)
Byars	Howell	Mullen	Stewart (Calhoun)
Cannon	Hubbard	Nipper	Thompson
Carter	Hughes	Norman	Tompkins
Christian	Jeter	Owens	Tunstall
Cockrell	Johnson	Parish	Vickers
Cook	Jones (Bullock)	Patterson	Waddell
Darden	Jones (Cleburne)	Pegues	Wallace
Deloney	Jordan (Etowah)	Pitts	Ward (Tuscaloosa)
Denson	Jordan (Washington)	Poole	Ware
Desear	Kirkpatrick	Powell	Webb
Edwards	Langdon	Quillin	Weldon
Fite	Lee	Reeder	Winn
Frey	Lovelace		

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Nay:—Mr. Simpson—1.

H. 374. (With amendment) A bill to be entitled An Act to provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution of Alabama, whereby the following municipal corporations, to-wit: Winfield, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no-wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at the next general election, to-wit: "The following municipal corporations, to-wit: Winfield, through their respective constituted governing authorities, may levy and collect a rate of tax-

ation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for."

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided, the qualified voters shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz, "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The following municipal corporations, to-wit: Winfield, _____,

_____, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for." Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the electors shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law

governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Constitutional Amendments. Said Committee amendment being as follows:

COMMITTEE AMENDMENT TO H. 374

Amend the bill by adding after the word "Winfield" both in the Title and in the body of the bill wherever the same appears, the words: Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Taladega, Daphne, Oneonta, Cullman, Leeds, Eutaw.

And the amendment reported by the Standing Committee on Constitution and Constitutional Amendments was adopted.

Yeas, 81; Nays, 0.

Yeas:

Messrs.:

Mr. Sneaker

Adcock

Allen

Anderson

Ashcraft

Baldwin

Bartlett

Beebe

Bryant

Burleson

Burns

Byars

Carter

Cockrell

Cook

Darden

Denson

Desear

Edmundson

Edwards

Fite

Frey

Goode

Grove

Gullatt

Guy

Harwood

Hawkins

Hightower

Hollis

Howard

Howell

Hubbard

Hughes

Jeter

Johnson

Jones (Bullock)

Jones (Clebune)

Jordan (Etowah)

Jordan (Washington)

Langdon

Lee

McAdory

Martin

Matthews

Merrill

Miller (Marengo)

Miller (Sumter)

Molette

Monk

Moxley

Mullen

Nipper

Norman

Owens

Parish

Patterson

Pitts

Poole

Powell

Quillin

Ringer

Rivers

Rogers (Mobile)

St. John

Sanders (Conecuh)

Sanderson

Simpson

Smith

Stephens

Stewart (Calhoun)

Thomson

Tompkins

Tunstall

Vickers

Waddell

Ward (Geneva)

Ward (Tuscaloosa)

Webb

Weldon

Winn

And the Bill:

H. 374. A Bill to be entitled An Act to provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution of Alabama, whereby the following municipal corporations, to-wit: Winfield.....

..... through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at the next general election, to-wit: "The following municipal corporations, to-wit: Winfield,

..... through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for."

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided, the qualified voters shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the follow-

ing, viz, "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The following municipal corporations, to-wit: Winfield, _____,

_____, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.'" Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the electors shall be indicated by a cross mark by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

As amended was read a third time at length and passed.

Yeas, 81; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Bryant

Burleson
Burns
Byars
Carter
Cockrell
Cook
Darden
Denson
Desear

Edmundson
Edwards
Fite
Frey
Goode
Grove
Gullatt
Guy
Harwood

Hawkins
Hightower
Hollis
Howard
Howell
Hubbard
Hughes
Jeter
Johnson

Jones (Bullock)	Molette	Powell	Stewart (Calhoun)
Jones (Cleburne)	Monk	Quillin	Thompson
Jordan (Etowah)	Moxley	Ringer	Tompkins
Jordan (Washington)	Mullen	Rivers	Tunstall
Langdon	Nipper	Rogers (Mobile)	Vickers
Lee	Norman	St. John	Waddell
McAdory	Owens	Sanders (Conecuh)	Ward (Geneva)
Martin	Parish	Sanderson	Ward (Tuscaloosa)
Matthews	Patterson	Simpson	Webb
Merrill	Pitts	Smith	Weldon
Miller (Marengo)	Poole	Stephens	Winn
Miller (Sumter)			

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Which was a three fifths majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 315. To amend Section 16 of an Act approved September 25, 1915, entitled: "An Act to provide for the government by a commission of all cities in Alabama, which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government and to repeal all laws and parts of laws in conflict with the provisions of this Act;" as amended by an Act approved August 15, 1923, entitled: An Act "To amend an Act approved September 25th, 1915; entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people, or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act;' and to provide for the going into effect of the various sections of said Act as amended."

S. 276. To vacate and close as a public highway or street that portion of Lee street in the city of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama avenue with the east margin of Lee street and running thence westwardly along the north margin of Alabama avenue thirty-five feet and extending northwardly with that uniform width to where said Lee street strikes the section line; (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee street as now or formerly laid out.

S. 372. To further amend an Act of the Legislature of Alabama entitled "An Act to establish a board of revenue for Marengo county and for the abolishment of the court of county commissioners of said county," approved September 19, 1923.

S. 371. To amend sections 6, 8, and 11 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

S. 334. To make it the duty of the clerk of the circuit court of Lamar County, Alabama, as ex-officio clerk of the county court, to record the proceedings and write up the minutes of the county court and to provide for compensation of the same.

S. 365. To authorize the Court of County Revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County.

S. 331. To amend Section 2341 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House Amendment to the Bill:

S. 376. To authorize Mobile County in this state, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and to issue bonds therefor and to levy and collect taxes on property in Mobile county to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile county to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election and regulating the sale of such bonds and the use of the proceeds of such sale, and repealing all acts in conflict with this act.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Resolution: H. J. R. (185 Relative to adjournment of the two Houses until Tuesday, August 9th, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendments to the bill:

H. 626. To alter and rearrange the boundary lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said city certain territory not included therein.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State

Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities, or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising etc. on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission, in the matter of such regulation and providing penal offenses concerning the matter of such regulation; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State Bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, except such laws pertaining to revenue.

And the President of the Senate has appointed as conferees on the part of the Senate Messrs. Craft, Fite and Ellis of Shelby.

And said bill is herewith returned to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills, and ordered same sent forthwith to the House without engrossment:

By Mr. Williams:

S. 398. To fix the salaries of the Judge and the Solicitor of the Law and Equity Court of Franklin County, and to further prescribe the duties of the Solicitor of said Court.

With Notice and Proof herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that application will be made to the Legislature of Alabama for the passage, in the present session, 1927, of a local law for Franklin County, as follows:

A BILL

To be entitled: An Act to fix the salaries of the Judge and the Solicitor of the Law and Equity Court of Franklin County, and to further prescribe the duties of the Solicitor of said Court.

Be it Enacted by the Legislature of Alabama:

Section 1. The salary of the Judge of the Law and Equity Court of Franklin County is fixed at \$3600.00 per year, payable as now provided by law.

Section 2. The salary of the Solicitor of the Law and Equity Court of Franklin County is fixed at \$1800.00 per year, payable as now provided by law.

Section 3. In addition to all other duties now, or hereafter, provided by law, it shall be the duty of the Solicitor of said Court to assist the Solicitor of the Circuit Court in prosecuting felony cases in the Circuit Court, whenever requested in writing to do so by the Solicitor of the Circuit Court.

Section 4. The Solicitor of the Law and Equity Court of Franklin County is prohibited from appearing as attorney in any civil case tried in Franklin County, Alabama, which civil suit is founded upon, grows out of, or concerns a criminal charge, or the violation of a criminal law.

Section 5. It shall further be the duty of the Solicitor of the Law and Equity Court of Franklin County, to appear as an amicus curiae in any divorce suit pending in said Court, whenever directed in writing by the Judge of said Court to do so, and as such amicus curiae to represent and protect the interests of the State and of society.

Section 6. This statute shall be effective immediately upon its approval by the Governor.

THE STATE OF ALABAMA,

Franklin County.

Before me, the undersigned Notary Public in and for said State and County, came personally George L. Cleere, who is known to me and who, being first duly sworn, deposes and says:

1. My name is George L. Cleere. I reside at Russellville, Franklin County, Alabama.

2. I am Editor and Publisher of the Franklin Times, a newspaper published weekly at Russellville, Franklin County, Alabama.

3. The annexed local bill relative to the salaries of the Judge and Solicitor of the Law and Equity Court of Franklin County, and the duties of the said Solicitor, has been published, without cost to the State of Alabama, in the last four issues of said newspaper; that is to say, in the issues of June 16th, June 23rd, June 30th, and July 7th, 1927. A copy of the said notice, as published, is hereto attached, and referred to as a part of this affidavit.

Subscribed and sworn to before me this 8th day of July, 1927.

George A. Cleere,
H. H. Hamilton,
Notary Public.

Also:

By Mr. Williams:

S. 214. To amend Section 6702 of the Code of Alabama, 1923.

Also:

By Mr. Williams:

S. 232. To amend Sections 10293 and 10300 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Local Legislation, S. 398.

Appropriations, S. 214; S. 232.

RECOMMITTAL OF BILL

On motion of Mr. Goodwyn the Bill:

H. 385. To provide for the compilation, printing and binding distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and the General and Local Acts of the Legislature of 1927, and to appropriate sufficient funds to pay the expenses incurred therein.

Was recommitted to the Standing Committee on Appropriations.

ADJOURNMENT

On motion of Mr. Hollis the House, in accordance with a H. J. R. heretofore adopted, adjourned until Tuesday August 9th, 1927, at ten o'clock A. M.

FORTY-FIRST DAY.

House of Representatives,
Montgomery, Alabama,
Tuesday, August 9th, 1927.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Dr. Thompson of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Golson	Lovelace	Rogers (Elmore)
Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Green	Martin	Sanders (Conecuh)
Ashcraft	Grove	Matthews	Sanders (Pike)
Baldwin	Gullatt	Merrill	Sanderson
Bartlett	Guy	Miller (Marengo)	Shepherd
Beebe	Hampton	Miller (Sumter)	Shivers
Brunson	Harwood	Molette	Simpson
Bryant	Hawkins	Monk	Smith
Burleson	Hightower	Morrow	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Ward (Geneva)
Denson	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Desear	Jordan (Washington)	Quillin	Ware
Edmundson	Kirkpatrick	Rankin	Webb
Edwards	Langdon	Reeder	Weldon
Fite	Lawler	Ringer	Winn
Frey	Lee	Rivers	

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A quorum was present.

JOURNAL.

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 40th Legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 40th Legislative day was approved.

LEAVE OF ABSENCE.

Was granted to Messrs. Graves, Moxley and Wallace for to-day.

PRIVILEGES OF FLOOR.

On motion of Mr. Grove the privileges of the floor were granted to Messrs. John Rolston, Wm. Roberts, Frank Boykin, Irving Simon, J. C. Prine, Lloyd Warner, Arthur Davis, J. H. Webb, R. H. Radcliff, Oscar Dillon, Frank Inge, W. H. Holcombe and E. J. Huet.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bill:

H. 626. To alter and rearrange the boundary lines of the City of Mobile in the State of Alabama, so as to include within the corporate limits of said city certain territory not included therein.

And finds same correctly enrolled.

R. B. Harwood,
Chairman.

SIGNING OF BILLS.

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and find same correctly engrossed, to-wit:

H. 374. To provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution of Alabama, whereby the following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year;

provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at the next general election, to-wit: "The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for."

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided, the qualified voters shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz: "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daph-

ne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for." Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the electors shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

Also:

H. 318. In relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditures of such funds or appropriations.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

INTRODUCTION OF BILLS.

On a call of the Counties, Bills were introduced, severally read one time and referred to appropriate Standing Committees as follows:

By Mr. Poole:

H. 1071. To make appropriation for the erection on the battlefield at Gettysburgh for a monument in perpetuation of the Soldiers from Alabama.

Appropriation.

By Mr. Baldwin:

H. 1072. A bill to be entitled an act to submit an amendment to the Constitution of the State of Alabama to amend Section 138 of Article 5 of the Constitution of Alabama of 1901 to the qualified electors of the State of Alabama at an election to be held at the next general election after the final adjournment of the present session of the Legislature at which this amendment is proposed; to amend Section 138 of Article 5 of the Constitution of Alabama of 1901 so as to read as follows: "A sheriff shall be elected in each county by the qualified electors thereof, who shall hold office for a term of four years, unless sooner removed, and he shall be eligible to such office as his own successor. Whenever any prisoner is taken from jail, or from the custody of any sheriff or his deputy and put to death, or suffers grievous bodily harm, owing to the neglect, connivance, cowardice, or other grave fault of the sheriff, such sheriff may be impeached under section 174 of this Constitution. If the sheriff be impeached, and thereupon convicted, he shall not be eligible to hold any office in this state during the time for which he had been elected or appointed to serve as sheriff."

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final adjournment of the present session of the Legislature of Alabama at which this amendment is proposed; to amend Section 138 of Article 5 of the Constitution of Alabama of 1901 so as to read as follows: "A sheriff shall be elected in each county by the qualified electors thereof, who shall hold office for a term of four years, unless sooner removed, and he shall be eligible to such office as his own successor. Whenever any prisoner is taken from jail, or from the custody of any sheriff or his deputy, and put to death, or suffers grievous bodily harm, owing to the neglect, connivance, cowardice, or other grave fault of the sheriff, such sheriff may be impeached under section 174 of

this Constitution. If the sheriff be impeached and thereupon convicted, he shall not be eligible to hold any office in this State during the time for which he had been elected or appointed to serve as sheriff."

Section 2. That it shall be the duty of the Governor of the State of Alabama to give notice by proclamation of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this bill to be submitted to the qualified electors of the State of Alabama for their consideration that such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3. That at said election on the amendment proposed by this bill to be submitted to the qualified electors of the State of Alabama for their consideration the qualified electors shall vote upon the said amendment and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama: to amend Section 138 of Article 5 of the Constitution of Alabama of 1901, so as to read as follows: A sheriff shall be elected for each county by the qualified electors thereof, who shall hold office for a term of four years, unless sooner removed, and he shall be eligible to such office as his own successor. Whenever any prisoner is taken from jail, or from the custody of any sheriff or his deputy, and put to death, or suffers grievous bodily harm, owing to the neglect, connivance, cowardice, or other grave fault of the sheriff, such sheriff may be impeached, under section 174 of this Constitution. If the sheriff be impeached, and thereupon convicted, he shall not be eligible to hold any office in this State during the time for which he had been elected or appointed to serve as sheriff." Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officers as provided by the General Election Laws of the State of Alabama for the appointment of officers and the holding of general elections in this State and the election shall be held under and in all things governed by and had in accordance with the Constitutional provisions touching amendments to the Constitution of Alabama and the General Election Laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of the State in the same manner as in elections of representatives to the Legislature; and if it thereupon appear that a majority of the qualified electors who vote at such election upon the proposed amendment vote in favor of the same, such amendment shall become a part of the Constitution of Alabama and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of said election shall be made by proclamation of the Governor.

Section 7. The expenses of such election herein and provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of the general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. Weldon (with Notice and Proof):

H. 1073. To fix the compensation of the members of the Court of County Commissioners, Board of Revenue or such other governing body of Elmore County, Alabama.

Local Legislation.

Notice and Proof H. 1073:

State of Alabama,)
Elmore County.)

I, Frances Coleman, publisher of The Weekly Herald, a newspaper published in the town of Wetumpka, Alabama, hereby certify that the Act attached hereto, entitled An Act to fix the compensation of the Court of County Commissioners, Board of Revenue or such other governing body of Elmore County, Alabama, was published in The Weekly Herald for four successive weeks, on the following dates, to-wit: July 14th, July 21st, July 28th and August 4th, 1927.

Frances Golson.

Sworn to and subscribed this 8th day of August, 1927.

G. H. Howard.

Judge of Probate.

LEGAL NOTICE.

State of Alabama, Elmore County.

Notice is hereby given that application will be made in the Legislature of Alabama, at the 1927 session thereof, for the passage of the following Act, to-wit:

AN ACT

To fix the compensation of the members of the Court of County Commissioners, Board of Revenue or such other governing body of Elmore County, Alabama.

Be it enacted by the Legislature of Alabama.

Section 1. That each member of the Court of County Commissioners, Board of Revenue or such other governing body of Elmore County, Alabama, shall be paid out of the County Treasury of said County for their services the sum of Five Dollars per day while occupied in the discharge of their duties as such members of the Court of County Commissioners, Board of Revenue or such other governing body, and Seven Cents per mile in going to and returning from their respective court or sessions of same, and the sum of Five Dollars per day while occupied in the discharge of their duties in letting out, inspecting and accepting or refusing, building, or repairing, of any County bridges, County roads, County buildings or works, and Seven Cents per mile for each mile necessarily traveled by them in so doing, said sums to be paid on warrants drawn on the County treasurer of said County on the order of the Court of County Commissioners, Board of Revenue or such other governing body of said County.

Section 2. That the provisions of this act shall go into effect on the first Monday after the second Tuesday in January, 1929, and not before.

Section 3. That all laws and parts of laws in conflict with the provisions of this act hereby are repealed.

By Mr. Jeter:

H. 1074. To authorize the tax assessor and tax collector in counties having a population of more than two hundred thousand inhabitants, according to the last or any subsequent federal census, to employ and fix the compensation of clerks or assistants; to require such officers to certify the names of such clerks or assistants, with amount due each, to the Board of Revenue or other governing body of such counties and require such Board of Revenue or other governing body to draw warrants on the county treasury for the payment of same; to provide a limit to such expenditure.

Local Legislation.

By Mr. Jeter:

H. 1075. To fix the compensation or salary of Sheriffs of the State of Alabama in counties having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the method, basis and payment of such compensation.

Local Legislation.

By Mr. McAdory:

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

Local Legislation.

By Mr. Frey (with Notice and Proof):

H. 1077. To appropriate out of the County Treasury of Jefferson County, the sum of Fifteen Thousand (\$15,000.00) Dollars to be paid to Walter K. McAdory to reimburse him for expenses incurred by him while Sheriff of Jefferson County, Alabama, in serving legal processes in criminal cases pending in the Municipal Court of Birmingham, the Inferior Court of Ensley, and the Inferior Court of Bessemer, Alabama, in cases wherein he received no compensation.

Local Legislation.

Notice and Proof H. 1077.

LEGAL NOTICE.

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama as follows, to-wit:

Notice is hereby given that the undersigned will apply to the Legislature to enact a bill to appropriate the sum of Fifteen Thousand (\$15,000.00) Dollars, for the relief of Walter K. McAdory to reimburse him for the expense incurred in serving processes in criminal cases from the Municipal and Inferior Courts in Jefferson County, said sum to be paid out of any moneys in the County Treasury of Jefferson County not otherwise appropriated.

This the 11th day of June, 1927.

Walter K. McAdory.

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the county and State, aforesaid, personally appeared George M. Howle, editor of The Weekly Call, a newspaper published in said State and County, who, being by me first duly sworn deposes and says that the notice, a true copy of which is hereto attached was published in The Weekly Call, once a week for four consecutive weeks, commencing on June 11th, 1927.

Geo. M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 2nd day of July, 1927.

Bessie Stephens,
Notary Public.

By Mr. Ashcraft:

H. 1078. To amend Section 5214 of the Code of Alabama.
Judiciary.

By Mr. Lee:

H. 1079. A bill to be entitled an act to propose an amendment to Section 251 of the Constitution of Alabama and to provide for the submission of said proposed amendment to a vote of the qualified electors of the State of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to Section 251 of the Constitution of Alabama is hereby proposed: Amend Section 251 of the Constitution of Alabama so that same when so amended shall read as follows:

"Section 251. Every bank or banking company shall be required to cease all banking operations within twenty (20) years from the time of its organization and promptly thereafter cease its business; provided the Legislature may, by general law, authorize the extension in perpetuity of charters of existing banks and banking companies, or the incorporation of banks or banking companies in perpetuity, under such conditions, reservations and exceptions as the Legislature may prescribe; but after any bank or banking company which is required to cease to do business, has closed its business, it shall have the corporate capacity to sue and shall be liable to suits until its affairs and liabilities are fully closed."

Section 2. The Constitutional Amendment proposed and set forth in Section 1 of this Act shall be submitted to the qualified electors of the State of Alabama at the general election, for the election of state officers, in November, 1928.

Section 3. Notice of election on said proposed amendment shall be given by publication in a newspaper published in each county of the State for the time and in the manner provided by law.

Section 4. The expenses of the election herein provided for, including the expense of publication of notices, shall be paid out of the State Treasury out of any funds not otherwise appropriated.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. McAdory:

H. 1080. To make appropriations for the salaries of the superintendent, assistant superintendent, school principal, machine shop instructor and office assistant of the Alabama Boys' Industrial School.

Appropriations.

By Mr. Fite (with Notice and Proof):

H. 1081. To repeal "An Act to provide a better system of road building and construction for the County of Marion," approved on August 22nd, 1919.

Constitution and Constitutional Amendments.

Notice and Proof of H. 1081.

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, which is now in regular session, for the passage of a law repealing an act, entitled "An Act to provide a better system of road build-

ing and construction for the County of Marion," approved on August 22nd, 1919. (page 81 of Local Acts 1919).

This the 11th day of July, 1927.

State of Alabama, }
Marion County. }

Before me, W. H. Cantrell, Judge of Probate, in and for said County, in State aforesaid, personally appeared F. B. McKenzie, who being duly sworn, doth depose and say that he is publisher of The Marion County News, a weekly newspaper published in the town of Hamilton, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for four consecutive weeks prior to the 8th day of August, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit: No. 27 the 14th day of July, 1927; No. 28 the 21st day of July, 1927; No. 29 the 28th day of July, 1927; No. 30 the 4th day of August, 1927. And that there was no agreement between publisher and officer, and that the actual and lowest cost of said advertisement is \$2.97 and is paid.

F. B. McKenzie,
Publisher.

Sworn to and subscribed before me, this 8th day of August, 1927.

W. H. Cantrell,
Judge of Probate.

By Mr. Sanders of Pike (with Notice and Proof):

H. 1082. For the relief of Ned Giddens & Co., Contractors, of Troy, Pike County, Alabama, to pay said company the sum of One Thousand One Hundred Seven Dollars and Fift Cents (\$1,107.50), said sum being for 8,860 extra half-mile haul units of gravel at 12 1-2 cents per half-mile unit, made by said contractors while grading and surfacing a certain highway known as project S-25-A, Monroe County, Alabama, under a contract awarded by the Alabama State Highway Department at Montgomery on January 5, 1925, said extra hauls of gravel being made by requiremt of the State Highway Department, outside of and in addition to said contract of January 5, 1925.

Appropriations.

Notice and Proof of H. 1082.

NOTICE.

Notice is hereby given of the intention to apply to the present Legislature of Alabama to pass a law for the relief of Ned Giddens and Company, of Troy, Alabama, by appropriating to said company the sum of one thousand, one hundred seven dollars and fifty cents (\$1,107.50) to be paid out of the State treasury, as a result of a contract awarded by the Alabama State Highway Department at Montgomery on January 5, 1925, known as project S-25-A, Monroe County, said money being for extra hauls of gravel required by the State Highway Department, outside of and in addition to said contract of January 5, 1925.

Ned Giddens & Co.

State of Alabama, }
 Montgomery County. }

Before me, T. A. Hardy, a Notary Public in and for said County in said State, personally appeared R. F. Hudson, who being by me first duly sworn, deposes and says on oath: that he is the Business Manager of the Montgomery Advertiser, a newspaper published in the City of Montgomery, in the County of Montgomery, State of Alabama; that published notice was given therein of the intention to apply to the Legislature of Alabama at its regular session of 1927 for the passage of a law for the relief of Ned Giddens & Company; and that the notice attached hereto is a true and correct copy of said published notice in said Montgomery Advertiser, once a week for four consecutive weeks beginning June 25, 1927, said notice appearing in issues of June 25th, July 2nd, July 9th, and July 16th, 1927.

R. F. Hudson.

Sworn to and subscribed before me this 5th day of August, 1927.

(SEAL)

T. A. Hardy,

Notary Public, Montgomery County, Ala.

By Mr. Webb:

H. 1083. To amend Section 1255 of the Code of Alabama, 1923, further prescribing the qualifications of those persons who may practice veterinary medicine and surgery in Alabama and to regulate the same.

Agriculture.

By Mr. Hubbard:

H. 1084. To amend Sections 677, 678, 680, 682 and 683 of the Code of Alabama of 1923.

Privileges and Elections.

By Mr. Ware (by request):

H. 1085. To amend Section 12 of the Act entitled an Act "In reference to and to further provide for the general revenue of the State of Alabama," approved July 22, 1927.

Ways and Means.

By Mr. Miller of Sumter:

H. 1086. Authorizing, directing and requiring the exclusive use and employment of residents of the United States and of honorable discharged soldiers, sailors, and marines, including those of the War between the States, and convicts of the State of Alabama, to require the exclusive use of materials of the growth, production or manufacture of the United States in the construction, maintenance and repair of public buildings, highways, bridges, other structures and public works, constructed, maintained or repaired by or under the authority of the State of Alabama, and to require that cement used therein shall be furnished and contained in cotton bags manufactured in the United States.

Public Roads and Highways.

By Mr. Poole (by request):

H. 1087. To amend Section No. 9606 of the Code of Alabama of 1923.

Rules.

By Mr. Powell (with Notice and Proof):

H. 1088. To require all warrants, bonds and commitments, where defendants are held or bound over to await the action of the Grand Jury in Walker County, Alabama, to be returned to and filed with the Clerk of the Circuit Court of Walker County, Alabama, to be kept and filed and furnished to the Solicitor or Foreman of the Grand Jury on demand, and providing that said Clerk shall make a record of such papers, and further providing that the Clerk of the Circuit Court of Walker County, as ex-officio Clerk of the County Court of Walker County, shall also make a record of all bonds, commitments and warrants in all cases hereafter filed in said County Court and providing that such records or certified copies of same shall have the same legal effect as the originals when the original or any part of same is lost, and providing that the cost for making such record shall be taxed and paid as other cost in criminal cases is taxed and paid.

Local Legislation.

Notice and Proof H. 1088.

NOTICE.

Notice is hereby given, That application will be made to the present Legislature of Alabama to pass a local law for Walker County, Alabama, in substance as follows: To require all warrants, bonds and commitments, where defendants are held or bound over to await the action of the Grand Jury in Walker County, Alabama, to be returned to and filed with the Clerk of the Circuit Court of said County to be kept and filed and furnished to the Solicitor or Foreman of the Grand Jury on demand, and providing that said Clerk shall make a record of such papers, and further providing that the Clerk of the Circuit Court of Walker County, Alabama, as ex-officio Clerk of the County Court of said County shall also make a record of all bonds and commitments and warrants in all cases hereafter filed in said County Court, and providing that such records or certified copies of same shall have the same legal effect as the originals when the cost for making such record shall be taxed and paid as other cost in criminal cases is taxed and paid.

State of Alabama, }
Walker County. }

Personally appeared before me, E. W. Long, Judge of Probate of Walker County, Alabama, the undersigned Mae Amiss Ashmore, (nee Mae Amiss) who makes oath and says that the foregoing printed notice pasted on the sheet of paper on which this affidavit is made, was published for four consecutive weeks in the Mountain Eagle, a newspaper published in Jasper, in Walker County, Alabama, during the month of January, 1927, and that said publication was so made without cost to the State of Alabama or to Walker County.

Mae Amiss Ashmore.
(nee Mae Amiss)

Sworn to and subscribed before me, this the 3rd day of February, 1927.

E. W. Long,
Judge of Probate, Walker County, Alabama.

By Mr. Powell (with Notice and Proof):

H. 1089. To confirm and ratify and make valid claims or warrants filed against the Fine and Forfeiture Fund of Walker County, Alabama, by Mae Amiss Ashmore, (nee Mae Amiss) Clerk of the Circuit Court of Walker County, and John W. Crocker, ex-Clerk of said Court for making final records in Criminal or misdemeanor cases in the County Court of Walker County while acting as ex-officio Clerk of said Court, providing that not more than fifteen cents per hundred words shall be paid for said work, and that no such work shall be paid for that was not actually done before the claim or warrant was filed, and providing, that such claims or warrants shall be paid in their regular order according to the time they were filed with reference to other claims or warrants filed against said Fine and Forfeiture Fund.

Local Legislation.

Notice and Proof H. 1089.

NOTICE

Notice is hereby given, that application will be made to the present Legislature of Alabama, to pass a local law for Walker County, Alabama, in substance as follows:

To confirm, ratify and make valid claims or warrants filed against the Fine and Forfeiture Fund of Walker County, Alabama, by Mae Amiss Ashmore (nee Mae Amiss), Clerk of the Circuit Court of Walker County, and John W. Crocker Ex-Clerk of said Court for making final records in cases where defendants were bound over or held to await the action of the Grand Jury of said Circuit Court, and providing that not more than fifteen cents per hundred words shall be paid for said work, and that no such work shall be paid for that was not actually done before the claim or warrant was filed, and providing that such claims or warrants shall be paid in their regular order according to the time they were filed with reference to other claims or warrants filed against said Fine and Forfeiture Fund.

Mae Amiss Ashmore.

Clerk.

State of Alabama, }
Walker County. }

Personally appeared before me, E. W. Long, Judge of Probate of Walker County, Alabama, the undersigned Mae Amiss Ashmore, (nee Mae Amiss) who makes oath and says that the foregoing printed notice pasted on the sheet of paper on which this affidavit is made, was published for four consecutive weeks in the Mountain Eagle, a newspaper published in Jasper, in Walker County, Alabama, during the month of January, 1927, and that said publication was so made without cost to the State of Alabama or to Walker County.

Mae Amiss Ashmore.
(nee Mae Amiss)

Sworn to and subscribed before me, this the 3rd day of February, 1927.

E. W. Long,
Judge of Probate of Walker County, Alabama.

By Mr. Darden:

H. 1090. To provide for holding a Convention to alter, amend or revise the Constitution of Alabama, and to make an appropriation to pay the expenses of holding the same.

Constitution and Constitutional Amendments.

By Mr. Johnson:

H. 1091. To amend Section 7209 of the Code of Alabama, 1923.

Corporations.

By Mr. Johnson:

H. 1092. To amend Section 8352 of the Code of Alabama, 1923.

Insurance and Insurance Companies.

By Mr. Lovelace:

H. 1093. To create a committee consisting of the Governor, the State Superintendent of Education and the President of the State Board of Administration to ascertain the proper location for a state normal school in southwest Alabama, including the authority to locate said school in that section of the State in the event the town or community of Daphne should fail to provide suitable facilities for said school.

Rules.

BILLS ON SECOND READING.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

(With Substitute):

H. 385. To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and to appropriate sufficient funds to pay the expenses incurred therein.

Mr. Ward of Geneva, Chairman of the Standing Committee on Corporations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report: :

H. 215. Relating to Joint Stock Companies.

Mr. Ward of Geneva, Chairman of the Standing Committee on Corporations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

(With Substitute):

S. 234. To amend Section 7209 of the Code of Alabama, 1923.

Mr. Norman, Chairman of the Standing Committee on Public Printing, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 704. To amend Section 9017 of the Code of Alabama.

H. 936. To amend Section 9257 of the Code of Alabama. (Pertains to publication of notice in newspapers).

H. 1018. To amend Section 1999 of the Code of Alabama.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1038. To authorize the joinder as defendants in one action all parties who are liable in damages to another, for or on account of any tort or civil wrong or contract, or the breach thereof, regardless of the form of action in which any one or more parties may be sued or be liable.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1025. To designate and establish a State Trunk Road from Attalla, in Etowah County to Springville, in St. Clair County, Alabama, and to provide for its construction and maintenance by the State Highway Department.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 391. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama; to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

H. 739. To abolish the Commissioners Court of Walker County, and establish therefor a Board of Control, prescribe its duties, powers, and authority; to provide that the present members of the Commissioners court become the members of the Board of Control and the present Probate Judge become Ex

Officio member of same; to prescribe the term of office, and how and when successors shall be elected. To create the office of Chairman of the Board of Control, prescribe his duties, powers and authority, fix his term of office and salary; to designate the Chairman of the Board of Control the purchasing agent for the county of Walker and prohibit the purchase of supplies through other channels where paid for out of the county funds; to create the office of Highway Engineer for Walker County, define his powers, authority and duty and fix his qualification and how selected, terms of office and how removed; to prescribe and fix the salaries of the Chairman and members of the Board of Control and to fix the salary of the Highway Engineer; to divide the county into road districts and require one member to live in each district as divided; To invest the Board of Control with all the power Legislative, Judicial and Executive now or hereafter exercised by authority of law or granted the Commissioners Court or other governing bodies of counties in the State of Alabama that is not in conflict with the provisions of this bill, and to repeal all laws in conflict herewith.

H. 964. To amend "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aarons Precinct No. 4, Short Creek Precinct No. 4, Bethlehem Precinct No. 7, Meeks Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, to define the jurisdiction thereof, to provide for the organizing and empanelling grand juries, therefor and define the jurisdiction of said grand juries to regulate the holding of said court at said place and otherwise provide therefor." Said act having been approved August 18th, 1919.

H. 974. To create a county highway commission for Perry County, Alabama, and to define the powers and duties thereof."

H. 986. To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violations of this act.

H. 987. To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

H. 988. Empowering the clerk of the circuit court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of

Conecuh County, Alabama, and empowering said clerk to issue other process out of said county court such as forfeiture sci fas, attachment of witnesses, etc., and to provide compensation for said services.

H. 1006. To provide for the payment of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

H. 1022. To authorize the Court of County Commissioners of Covington County, Alabama, to issue a warrant in favor of J. W. Livings, for the sum of \$204.42, and to provide for the payment of the same by the county treasurer.

H. 1042. To empower municipal corporations having a population of not less than sixty thousand inhabitants according to the last or any subsequent Federal census, to provide for, regulate, and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied and the location and use of buildings and structures, and the use of land for trade industry, residences and other purposes, and to regulate the housing or residence within such city of different classes of inhabitants.

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof.

H. 1045. Conferring upon all cities in this state having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, the same power and authority with respect to matters of sanitation in the territory outside of the corporate limits of such city, but within police jurisdiction thereof, which it has within the territory embraced within the corporate limits of such city; and authorizing such cities to construct and reconstruct systems of sanitary sewers and sewage treatment and disposal plants and outlets for such sewers and sewage systems outside of the corporate limits of such city and within the police jurisdiction of such city; and authorizing the assessment of the whole or part of the cost of such construction upon property served, benefited or increased in value, where such property lies outside the corporate limits of such city, but within the police jurisdiction of such city; and authorizing such cities to issue bonds to pay for the cost of such construction and reconstruction.

H. 1046. To amend Sections 4 and 9 of an act entitled "An act to amend sections two (2), three (3), five (5), six (6), seven

(7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14), of an act entitled an act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899," approved February 21st, 1907.

H. 1068. To provide for the construction and maintenance of public roads, bridges, causeways and culverts in Lamar County, Alabama. To provide funds for the purpose of constructing and maintaining said roads, bridges, causeways and culverts. To make regulations for collecting funds for the above purposes and to provide penalties and enforce penalties for all who do not comply with the regulations of this bill. Also for the purpose of dividing Lamar County, Alabama, into four road supervisors districts and to prescribe the duties of the supervisors of said districts.

H. 1024. To amend Section 1 of an Act entitled An Act to provide for the establishing, constructing and maintaining public roads and bridges in Cullman County, Alabama; creating a highway commission for said county, defining its powers, jurisdiction and duties.

H. 1037. To fix the compensation of circuit clerks of all counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal census.

H. 1039. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Court; providing for the apprehension of such children and persons and the com-

mitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

H. 1055. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

H. 1058. To make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

H. 1059. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, the sum of Fourteen Hundred Seventy-five and no-100 (\$1475.00) Dollars, which amount was paid to W. C. Kyle, as Sheriff of Tuscaloosa County, under the provisions of the Act approved September 24, 1919, and entitled "An Act to provide for the payment of expenses for automobiles for the use of Sheriffs in the discharge of their duties as such in counties of not less than Fifty-three Thousand Four Hundred and One (53,401) nor more than Fifty-eight Thousand Five Hundred and One (58,501) population according to the Federal census of 1910, or according to any subsequent Federal Census, "and which the said W. C. Kyle, deceased, repaid to the County of Tuscaloosa.

H. 1062. Authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

H. 1063. Authorizing the Probate Judge or Deputy Solicitor to employ a competent shorthand writer to take stenographic notes of the testimony in County Court, in Justice Court and

before Judge of Probate Court in cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment.

H. 1064. To authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said County, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include the notice and substance of bills advertised at and during the present Legislature.

H. 1067. To fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1035. A bill to be entitled an act to provide for and submit to the qualified electors of the State of Alabama at an election to be held at the next general election, after the final adjournment of the present session of the Legislature, an amendment to the Constitution of Alabama, as follows:

"The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to

levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of the State of Alabama?" "The Board of Revenue of Jefferson County or other governing body of said county, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of charity hospital or hospitals for the care and treatment of indigent persons.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held under and in all things governed by and had in accordance with the constitutional provisions touching amendments to the Constitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary

of State in the same manner as in elections of representatives to the Legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7. The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expense of general elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 267. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City, certain additional territory, and to define and establish the boundaries and corporate limits of said town as hereby extended, altered and rearranged.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS REPORTED ADVERSELY.

Mr. Ward of Geneva, Chairman of the Standing Committee on Corporations reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

H. 656.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

S. 398.

NOTICE IN WRITING.

Notice is hereby given that I will on the next Legislative Day make a motion to take the bill, H. 899 "To repeal sub-division 2G

of Section 2 of an act entitled 'An Act in reference to and to further provide for the general revenue of the State of Alabama' approved July 22nd, 1927."

From the Adverse Calendar of the House and place the same on the regular calendar of the House.

J. Lee Long.

Mr. Hollis called up his motion to require the Standing Committee on Judiciary to report on H. 969 and on motion of Mr. Simpson the motion of Mr. Hollis was laid upon the table.

Mr. Monk asked for unanimous consent to withdraw his motion in writing to require the Standing Committee on Revision of Laws to report to the House H. 897. Unanimous consent was granted and the motion of Mr. Monk was withdrawn from the House.

RESOLUTIONS.

The following Resolutions were introduced:

By Mr. Deloney:

H. R. 190. Relative to making H. 64 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Etowah:

H. R. 191. Relative to making H. B. 404; H. B. 682 and H. B. 471 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 192. Relative to making House Bills Nos. 943 and 865 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ashcraft:

H. R. 193. Relative to making H. B. 586 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Mullen:

H. R. 194. Relative to making S. B. 196 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Waddell:

H. R. 195. Relative to making H. B. 666 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Edmundson:

H. R. 196. Relative to making S. B. 332 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 197. Relative to making H. B. 806 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 198. Relative to making H. B. 1010 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

H. R. 199. Relative to making S. B. 179 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Hughes:

H. R. 200. Relative to making H. B. 805 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 201. Relative to making H. B. 322 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 202. Relative to making H. B. 998, H. B. 871 and H. B. 997 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Sanderson:

H. R. 203. Relative to making H. B. 979 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tunstall:

H. J. R. 204. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet on Thursday, August 11th, 1927, and that when the two Houses adjourn on Thursday they adjourn to meet on Friday, August 12th, 1927.

And the Rules were suspended and the Resolution was adopted.

By Mr. Rogers of Elmore:

H. R. 205. Relative to making H. B. 962 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Shepherd.

H. R. 206. Relative to making House Bills 704, 936 and 1018 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. J. R. 207. Resolved by the House, the Senate concurring, that when the Legislature adjourns on Friday, August 19, 1927, it adjourn to reconvene on Thursday, August 25, 1927; such adjournment being necessary that members of the Legislature interested, may attend the annual convention of the Alabama Department of the American Legion, to be held at Foley, Alabama, on August 22 to 24, inclusive.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Lee:

H. R. 208. Relative to making House Bills 809 and 808 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Thompson:

H. R. 209. Relative to making S. B. 286 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Thompson:

H. R. 210. Relative to making S. B. 380 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Sumter:

H. R. 211. Relative to making S. B. 287, S. B. 288 and S. B. 289 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested.

S. 376. To authorize Mobile County in this State, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and to issue bonds therefor and to levy and collect taxes on property in Mobile County to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile County to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election, and regulating the sale of such bonds and the use of the

proceeds of such sale, and repealing all acts in conflict with this act.

J. E. Speight,
Secretary.

SIGNING OF SNATE BILL.

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING.

H. 281. To create a State Bureau of Criminal Identification, to provide for the expense of conducting the office, to provide for a superintendent and defining his duties, to provide for the necessary employees, to provide for the salary of the superintendent and the other employees, to provide for the necessary offices and equipment, to define a certain part of the duties of the sheriffs of the several counties of the State of Alabama, to define a certain part of the duties of the chiefs of police and marshals of incorporated cities and towns with a population of not less than three thousand inhabitants of the State of Alabama, to provide for the punishment for violators of this act.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Penitentiaries. Said Committee Substitute being as follows:

COMMITTEE SUBSTITUTE TO H. B. 281

A Bill to be entitled an act to create a State Bureau of Criminal Identification, to provide for the expense of conducting the office, to provide for a superintendent and defining his duties, to provide for the necessary employees, to provide for the salary of the superintendent and other employees, to provide for the necessary offices and equipment, to define a certain part of the duties of the sheriffs of the several counties of the State of Alabama, to define a certain part of the duties of the chiefs of police and marshals of incorporated cities and towns with a population of not less than fifteen hundred inhabitants of the State of Alabama, to provide for the punishment of violators of this Act.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created a State Bureau of Criminal Identification.

Section 2. Within ten days after this Act goes into effect, it will be the duty of the Governor to appoint a Superintendent of said Bureau.

Section 3. It shall be the duty of said Superintendent within ten days after his appointment to take absolute control and management of said Bureau, to make and adopt such rules as are necessary for the proper conduct of the Bureau as such Superintendent, to provide for the appointment of a chief clerk, two file clerks, and one stenographer for said Bureau; said appointments to be made by the Governor from an eligible list provided for such purpose by the Superintendent of said Bureau, also provide equipment for said Bureau, with the necessary furniture, fixtures, apparatus, appurtenances, appliances, and materials as are necessary for the collection, filing and preservation of all criminal records as to the identification of criminals, said superintendent shall have had not less than six years practical experience in finger print and Bertillon identification work in a recognized identification bureau using the finger print and Bertillon systems for identification, said superintendent must be a citizen of the State of Alabama.

Section 4. It shall be the duty of said Superintendent to procure and file or cause to be procured and filed all finger prints, photographs, plates, measurements and general information of each person who shall hereafter be convicted, sentenced and received in the State Prison. It shall be the duty of said Superintendent to make and complete a systematic record and index of same, providing thereby a method of convenience, consultation and comparison. It shall be the duty of said Superintendent to furnish upon application, all information pertaining to the identification of any person or persons, or of any date of which person there is a record in said bureau. Such information shall be furnished to the United States officers or officers of other States and Territories, or possessions of the United States, or Peace Officers of other countries duly authorized to receive the same, and all Peace Officers of the State of Alabama, which application shall be in writing, signed by the Officer making such application, and in the opinion of the Superintendent of said Bureau is necessary in the interest of the due administration of the laws.

Section 5. In this bureau shall be used the following system of identification: finger prints, photograph, Bertillon or any standard system of measurement. It shall be the duty of said Superintendent to record and file, or cause to be recorded and filed all finger prints, photographs and measurements of all persons sent to said bureau from other States, cities and towns.

Section 6. Suitable offices for proper conduct of the bureau shall be provided at Kilby Prison for the Superintendent.

Section 7. All furniture, equipment and records now on file and in use by the identification officer of the State of Alabama, "shall become a part of the furniture, equipment and records of the State Bureau of Criminal Identification," immediately upon the appointment of the Superintendent as provided for in this act.

Section 8. It is hereby made a certain part of the duties of the sheriffs of the several counties of the State of Alabama, the chief of police and marshals of incorporated cities and towns with a population of not less than fifteen hundred inhabitants of the State of Alabama, according to the United States Government Census, to furnish to said bureau daily copies of finger prints, complete description and general information on standardized eight inch by eight inch cards, of all persons arrested and charged with any criminal offense which would support a warrant against the laws of the United States, the State of Alabama, or any other State in the Union. It shall be the duty of said Superintendent to furnish the record of each person identified to the sheriff or chief of police or marshal who sent the finger prints of the person identified to said bureau.

Section 9. The Superintendent shall receive a salary of four thousand dollars per annum, the Chief Clerk shall receive a salary of not more than three thousand dollars per annum; the file clerk shall receive a salary of not more than twenty-four hundred dollars each per annum; the stenographer shall receive a salary of not more than eighteen hundred dollars per annum. The Superintendent and other employees shall be paid in the same manner and out of the same fund as other State Officers and State Employees are paid.

Section 10. There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of three thousand dollars, or so much thereof as may be necessary, to be used by said Superintendent in furnishing and equipping said bureau in accordance with the provisions of this Act.

Section 11. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of thirtysix hundred dollars annually, or so much thereof as may be necessary, to be used by said Superintendent for the proper conduct of said bureau.

Section 12. It shall be the duty of the Superintendent to furnish to the sheriffs of the several counties of the State of Alabama, to the Chief of Police and Marshalls of incorporated cities and towns with a population of not less than Fifteen Hundred inhabitants in the State of Alabama the following identification

supplies: "Finger Print Cards, Finger Print Ink, one small rubber roller and form holder." Said supplies to be paid for out of the funds appropriated in this act.

Section 13. The State Auditor is hereby directed to draw warrants in favor of said Superintendent, not to exceed the appropriations under this act, at such times and such amount as shall be approved by the Governor, and the State Treasurer is hereby directed to pay the same.

Section 14. Any person who violates any part of this Act shall upon conviction be fined not less than twenty-five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or may be sentenced to hard labor for not more than twelve months for the county, or both, in the discretion of the Court.

This Act shall take effect upon its passage and approval by the Governor.

And the substitute reported by the Standing Committee on Penitentiaries was adopted.

Yeas, 60; nays, 4.

Yeas:

Messrs:

Adcock	Edmundson	Jordan (Washington)	Reeder
Allen	Frey	Langdon	Ringer
Ashcraft	Golson	Lee	Rivers
Baldwin	Goode	Lovelace	Rogers (Elmore)
Bartlett	Goodwyn	Luck	Sanders (Concuh)
Beebe	Gullatt	McAdory	Shepherd
Burleson	Guy	Merrill	Simpson
Burns	Hightower	Miller (Sumter)	Smith
Byars	Howard	Monk	Starnes
Carter	Howell	Morrow	Stephens
Christian	Hubbard	Mullen	Stewart (Calhoun)
Cockrell	Hughes	Parish	Thompson
Cook	Jeter	Pegues	Tunstall
Darden	Johnson	Pitts	Webb
Deloney	Jordan (Etowah)	Quillin	Weldon
Denson			

—60

Nays:

Messrs.:

Cannon	Grove	Vickers	Waddell
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—4

And the Bill,

H. 281. To create a State Bureau of Criminal Identification, to provide for the expense of conducting the office, to provide for a superintendent and defining his duties, to provide for the necessary employees, to provide for the salary of the superintendent and the other employees, to provide for the necessary offices and equipment, to define a certain part of the duties of the sheriffs of the several counties of the State of Alabama, to define a certain part of the duties of the chiefs of police and marshals

of incorporated cities and towns with a population of not less than three thousand inhabitants of the State of Alabama, to provide for the punishment for violators of this Act.

As amended by the substitute was read a third time at length and passed.

Yeas, 59; nays, 8.

Yeas:

Messrs:

Adcock	Edmundson	Lee	Rogers (Elmore)
Allen	Frey	Lovelace	Shepherd
Anderson	Golson	Luck	Simpson
Ashcraft	Goode	McAdory	Smith
Baldwin	Goodwyn	Merrill	Starnes
Bartlett	Gullatt	Miller (Sumter)	Stephens
Bryant	Guy	Monk	Stewart (Bibb)
Burleson	Hightower	Morrow	Stewart (Calhoun)
Burns	Howard	Mullen	Thompson
Carter	Howell	Parish	Tompkins
Christian	Hughes	Patterson	Tunstall
Cockrell	Johnson	Pegues	Webb
Cook	Jones (Cleburne)	Pitts	Weldon
Darden	Jordan (Washington)	Reeder	Winn
Denson	Langdon	Rivers	

—59

Nays:

Messrs:

Cannon	Hollis	Sanders (Conecuh)	Waddell
Grove	Quillin	Vickers	Ware

—8

And on motion of Mr. Guy the Bill H. 281 was ordered sent to the Senate without engrossment.

H. 917. To fix the salaries and compensation of certain State officials, to provide for the appointment of assistants and employees of the State and of certain State offices, departments, bureaus and commissions and to fix their salaries and compensation effective on the first day of October, 1927.

Was read a third time at length and passed.

Yeas, 53; nays, 28.

Yeas:

Messrs:

Adcock	Cook	Jeter	Morrow
Allen	Darden	Jordan (Etowah)	Owens
Anderson	Denson	Langdon	Patterson
Ashcraft	Frey	Lee	Pegues
Baldwin	Golson	Lovelace	Pitts
Bartlett	Goode	Luck	Rogers (Elmore)
Beebe	Goodwyn	McAdory	Rogers (Mobile)
Burleson	Grove	Martin	St. John
Carter	Guy	Merrill	Sanders (Conecuh)
Cockrell	Hubbard	Miller (Sumter)	Sanderson

Shepherd	Stewart (Calhoun)	Vickers	Webb
Simpson	Thompson	Waddell	Weldon
Smith	Tunstall	Ward (Geneva)	Winn
Starnes			

—53

*Nays:**Messrs:*

Mr. Speaker	Hightower	Lawler	Quillin
Bryant	Hollis	Monk	Reeder
Burns	Howard	Mullen	Sanders (Pike)
Cannon	Howell	Nipper	Stephens
Fite	Hughes	Norman	Stewart (Bibb)
Hampton	Johnson	Parish	Tompkins
Harwood	Jones (Clebune)	Poole	Ward (Tuscaloosa)

—28

EXPLANATION OF VOTE

In Re. H. B. 917. Aug. 9, 1927.

I vote "I" (aye) and do so in order that those who really are deserving may receive the increase really needed. The cost of living in Montgomery is so high that some of these assistants are hardly able to live and make any provision for old age. New clerks will receive more than they deserve but clerks who have been here years and years and really are efficient, should receive compensation according to their worth.

Ira Pegues, Representative,
Jackson County.

This is commonly called the salary increase bill.

Ira Pegues.

On motion of Mr. Tunstall the Bill H. 917 was ordered sent to the Senate without engrossment.

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

Was taken up. Mr. Baldwin offered the following amendment to the Bill H. 972:

Amend H. B. No. 972 as follows: By striking the word, "Thirty-seven" in line 6 on page 9 of the Printed Bill and inserting, in lieu thereof, the word "Thirty-eight."

And the amendment offered by Mr. Baldwin was adopted.

Yeas, 70; nays, 3.

*Yeas:**Messrs.:*

Mr. Speaker	Bryant	Cockrell	Golson
Adcock	Burns	Cook	Goode
Allen	Byars	Dardeh	Goodwyn
Anderson	Cannon	Deloney	Grove
Ashcraft	Carter	Denson	Gullatt
Baldwin	Christian	Frey	Guy

Harwood	Lee	Patterson	Smith
Hightower	Luck	Pegues	Starnes
Howard	McAdory	Pitts	Stephens
Howell	Merrill	Reeder	Stewart (Calhoun)
Hubbard	Miller (Marengo)	Rivers	Thompson
Jeter	Miller (Sumter)	Rogers (Elmore)	Tunstall
Johnson	Morrow	Rogers (Mobile)	Ward (Tuscaloosa)
Jones (Bullock)	Mullen	Sanders (Conecuh)	Ware
Jones (Cleburne)	Nipper	Sanders (Pike)	Webb
Jordan (Etowah)	Norman	Sanderson	Weldon
Jordan (Washington)	Owens	Simpson	Winn
Langdon	Parish		

—70

Nays:

Messrs:

Fite

Hollis

Monk

—3

And the Bill:

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

As amended was read a third time at length and passed.

Yeas, 55; nays, 27.

Yeas:

Messrs.:

Adcock	Frey	Martin	Sanderson
Allen	Goode	Merrill	Simpson
Anderson	Goodwyn	Miller (Sumter)	Smith
Ashcraft	Grove	Mullen	Starnes
Baldwin	Guy	Owens	Stewart (Calhoun)
Bartlett	Hubbard	Patterson	Thompson
Beebe	Hughes	Pegues	Tunstall
Bryant	Jeter	Pitts	Vickers
Burns	Jordan (Etowah)	Rivers	Waddell
Byars	Langdon	Rogers (Elmore)	Ward (Tuscaloosa)
Carter	Lee	Rogers (Mobile)	Webb
Cook	Lovelace	St. John	Weldon
Darden	Luck	Sanders (Conecuh)	Winn
Denson	McAdory	Sanders (Pike)	

—55

Nays:

Messrs:

Mr. Speaker	Howard	Monk	Reeder
Cannon	Howell	Nipper	Shivers
Cockrell	Johnson	Norman	Stephens
Fite	Jones (Bullock)	Parish	Stewart (Bibb)
Hampton	Jones (Cleburne)	Poole	Tompkins
Hightower	Jordan (Washington)	Quillin	Ware
Hollis	Lawler	Rankin	

—27

And on motion of Mr. Tunstall the Bill H 972 was ordered sent forthwith to the Senate without engrossment.

H. 6 (with substitute). To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Appropriations, said committee substitute being as follows:

COMMITTEE SUBSTITUTE TO H. B. NO. 6.

A bill to be entitled an act to amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

Be it enacted by the Legislature of Alabama that these Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey of Alabama, be amended so as to read as follows:

Section 1033. State Geologist—This section is to be amended so as to read as follows: Eugene A. Smith, professor of mineralogy and geology in the University of Alabama, is State Geologist. In the event of a vacancy in the office of State Geologist, from any cause, that the most competent geologist available, either from the staff of the Geological Survey of Alabama or elsewhere, to be designated by the President of the University of Alabama with the approval of the Governor, shall be the State Geologist, whose term of office shall be at the will of the appointing powers. Whenever a vacancy shall subsequently occur said vacancy shall be filled in a like manner and the tenure of office shall be determined as aforesaid:

Section 1034. His Duties—This section is to be amended so as to read as follows: It shall be the duty of the State Geologist to devote his entire time to the administrative duties of his office and to making explorations and examinations of the mineral, agricultural, biological, and other natural resources of the State, so as to determine accurately the quality and character of its soils and their adaptation to agricultural purposes, and especially to the occurrence and quality of phosphates, marks, gypsum, and other natural fertilizers; its mineral resources and their locations, character and capacity for development; its water powers and their capacity; its forest trees and their utilities and distribution; its other plant and animal forms useful or noxious; and it shall be the duty of his and his assistants, whenever they discover any deposits of ores or other resources of value, to notify immediately the owners of the land on which such deposits occur; but no individual or firm or corporation shall have the right to call upon or require the State Geologist to enter upon any special survey for his or their individual benefit. The Survey is to

proceed upon a settled plan for the benefit of the public and prospectors and investors in general. He shall also make to the Legislature at each of its regular sessions, a report of the progress of his explorations and examinations, together with such analyses of soils or of minerals, mineral waters, etc., with maps and chartes as may be needed for illustrations, which report shall be printed and shall be the exclusive property of the State. He shall also make collections of specimens illustrative of the geological, agricultural and other natural resources of the State, which, after they shall have served the immediate purposes of the survey, shall be placed in the museum of the Survey in Smith Hall at the University of Alabama, as a permanent exhibit, except that duplicates of these specimens and excess material may be distributed by the State Geologist to educational institutions of the State which may request them and have use for them. He shall also from time to time prepare or cause to be prepared monographs, special reports or bulletins on the geology and varied resources of the State which shall be published under the provisions of Sections 1039, 1040, and 1041 of the Code of 1923.

Section 1035. This section is to be amended so as to read as follows: Assistants—The State Geologist may appoint with the approval of the Governor, such assistants, including a competent chemist, and for such periods and with such compensation as he may deem necessary to the best interests of the Survey.

Section 1036. This section is amended by the Committee on Appropriations to read as follows: Annual Appropriation.—There is appropriated out of any funds in the treasury, for the geological and agricultural survey provided for in this chapter, annually the sum of Thirty Thousand Dollars (\$30,000.00) for the first year; Forty Thousand Dollars (\$40,000.00) for the second year; and thereafter Fifty Thousand Dollars (\$50,000.00) annually out of which said sums shall be defrayed the expenses of the Survey, including equipment, departmental field work, museum and departmental work and salaries, except the salary of the State Geologist, which shall be paid as provided for in Section 1037 of the Code of 1923. Upon the requisition of the State Geologist, when approved by the Governor, the Auditor shall draw his warrant on the Treasurer for the amount appropriated in such sums as may be needed from time to time for the purposes herein provided for; and for all expenditures made under the provisions of this chapter, except for the salary of the State Geologist, the approval of the Governor must be obtained, and the vouchers of the State Geologist for all such expenditures, must be filed quarterly with the Auditor, and a statement of his receipts and expenditures shall accompany each quadrennial report of the State Geologist.

Section 1037. This Section is to be amended so as to read as follows: Salary.—The State Geologist shall receive out of the State Treasury a salary of Four Thousand Dollars per annum, payable in equal monthly installments, as the salaries of other State officers are paid.

Section 1038. This section is to be amended so as to read as follows: Expenses of the Survey.—The balance of the annual appropriation herein provided for, shall be devoted, so far as may be necessary, to execute the purposes of this Chapter, to the discharge of the expenses of the Survey including the compensation of all temporary and permanent assistants; traveling expenses of the Geologist and geological corps, in and out of the State; purchase of apparatus and materials for making chemical analysis; other expenditures for outfit; expenses incurred in providing for the transportation, arrangement, and proper exhibition of the geological and other collections made on the authority of this chapter, and the engraving of maps and sections, etc., to illustrate the quadrennial reports of progress.

Section 1039. This section is to be amended so as to read as follows: Bulletins of the State Geologist.—Whenever the State Geologist has in hand, ready for publication, material for a bulletin or any other report, or his surveys and investigations of the mineral, agricultural or other natural resources of the State, he shall report the same to the Governor, and a committee consisting of the Governor, Secretary of State and State Geologist, shall then determine the number of such bulletin or report which shall be printed and published.

Section 1040. This Section is to be amended so as to read as follows: Printing and Binding Geological Bulletins.—When the number of such bulletins or report to be printed and published has been so determined, the Governor shall order the same to be printed and bound forthwith at such times and places, and in such manner and style as regards size, type, quality of paper, binding, etc., as said committee may deem best, and in similar manner he shall have engraved and printed all charts, maps, views, drawings, sketches, or details as may be deemed necessary by said committee to properly illustrate such bulletin or report. And for the purposes herein mentioned, when, in the opinion of said committee, the state printers are not prepared to do in proper manner any engraving or other work required for such report or bulletin, the Governor may authorize special contract with such persons, firms, or corporations, within or without the State, as in the judgment of said committee will secure the promptest and most satisfactory work.

Section 1041. This section is to be amended so as to read as follows: Payment of Printing and Binding Bulletins.—The ac-

counts for the printing, engraving and binding done under the provisions of this chapter, when approved by the Governor, shall be paid by his order out of any moneys in the State Treasury.

And the substitute reported by the Standing Committee on Appropriations was adopted.

Yeas, 71; nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lovelace	St. John
Adcock	Golson	McAdory	Sanders (Conecuh)
Allen	Goode	Martin	Sanders (Pike)
Anderson	Goodwyn	Merrill	Shepherd
Ashcraft	Grove	Monk	Shivers
Bartlett	Harwood	Morrow	Simpson
Beebe	Hollis	Mullen	Stephens
Bryant	Howard	Nipper	Stewart (Calhoun)
Burleson	Howell	Norman	Thompson
Burns	Hughes	Parish	Tompkins
Byars	Jeter	Patterson	Vickers
Cannon	Johnson	Pitts	Waddell
Cockrell	Jones (Bullock)	Poole	Ward (Tuscaloosa)
Cook	Jones (Cleburne)	Rankin	Ware
Darden	Jordan (Etowah)	Reeder	Webb
Denson	Jordan (Washington)	Rivers	Weldon
Edmundson	Langdon	Rogers (Elmore)	Winn
Fite	Lee	Rogers (Mobile)	

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Nay:—Mr. Quillin—1.

And said Bill,

H. 6. To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

As amended by the substitute was read a third time at length and passed.

Yeas, 78; nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Christian	Grove	Jordan (Etowah)
Adcock	Cockrell	Harwood	Jordan (Washington)
Allen	Cook	Hawkins	Lee
Anderson	Darden	Hightower	Lovelace
Ashcraft	Deloney	Hollis	Luck
Baldwin	Denson	Howard	McAdory
Bartlett	Edmundson	Howell	Martin
Beebe	Fite	Hubbard	Merrill
Bryant	Frey	Hughes	Miller (Sumter)
Burleson	Golson	Jeter	Monk
Burns	Goode	Johnson	Morrow
Byars	Goodwyn	Jones (Bullock)	Nipper
Cannon	Green	Jones (Cleburne)	Norman

Parish	Rogers (Mobile)	Smith	Vickers
Patterson	Sanders (Conecuh)	Starnes	Waddell
Pegues	Sanders (Pike)	Stephens	Ward (Tuscaloosa)
Pitts	Sanderson	Stewart (Calhoun)	Ware
Reeder	Shepherd	Thompson	Webb
Rivers	Shivers	Tompkins	Winn
Rogers (Elmore)	Simpson		

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Nay:—Mr. Quillin—1.

And on motion of Mr. Goodwyn the Bill H. 6 was ordered sent forthwith to the Senate without engrossment.

H. 789. To amend Section 1187, Section 1189, Section 1190 and Section 1193 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 76; nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Langdon	Rivers
Adcock	Goode	Lee	Rogers (Elmore)
Allen	Goodwyn	Lovelace	Rogers (Mobile)
Anderson	Grove	Luck	St. John
Ashcraft	Gullatt	McAdory	Sanders (Conecuh)
Baldwin	Guy	Martin	Sanders (Pike)
Bartlett	Harwood	Merrill	Sanderson
Beebe	Hawkins	Miller (Sumter)	Shepherd
Bryant	Hightower	Morrow	Simpson
Burleson	Howard	Mullen	Smith
Burns	Howell	Nipper	Stephens
Cannon	Hubbard	Owens	Stewart (Calhoun)
Christian	Hughes	Parish	Thompson
Cockrell	Jeter	Patterson	Tompkins
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Ware
Denson	Jones (Cleburne)	Quillin	Webb
Edmundson	Jordan (Etowah)	Rankin	Weldon
Fite	Jordan (Washington)	Reeder	Winn

—76

And on motion of Mr. Goodwyn the Bill H. 789 was ordered sent forthwith to the Senate without engrossment.

H. 495. To amend section 10288 of the Code of Alabama, 1923.

Was read a third time at length and lost.

Yeas, 40; nays, 45.

Yeas:

Messrs:

Ashcraft	Denson	Grove	Lee
Baldwin	Edmundson	Guy	Lovelace
Beebe	Frey	Harwood	Luck
Carter	Golson	Hawkins	McAdory
Cockrell	Goodwyn	Jeter	Martin
Cook	Green	Jordan (Etowah)	Merrill

Miller (Sumter)	Reeder	Simpson	Tunstall
Morrow	Rogers (Mobile)	Smith	Vickers
Patterson	Sanderson	Starnes	Waddell
Pitts	Shepherd	Stewart (Calhoun)	Ward (Tuscaloosa)

—40

*Nays:**Messrs.:*

Mr. Speaker	Darden	Jones (Cleburne)	Rogers (Elmore)
Adcock	Deloney	Jordan (Washington)	Sanders (Conecuh)
Allen	Gullatt	Mullen	Sanders (Pike)
Anderson	Hampton	Nipper	Shivers
Bartlett	Hightower	Norman	Stephens
Bryant	Hollis	Owens	Stewart (Bibb)
Burleson	Howard	Parish	Thompson
Burns	Howell	Pegues	Tompkins
Byars	Hughes	Quillin	Ware
Cannon	Johnson	Rankin	Webb
Christian	Jones (Bullock)	Rivers	Weldon

—45

S. 431. To create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Deloney	Howell	Norman
Adcock	Denson	Hughes	Owens
Allen	Desear	Jeter	Parish
Anderson	Edmundson	Johnson	Patterson
Ashcraft	Edwards	Lawler	Pegues
Baldwin	Fite	Lee	Pitts
Bartlett	Frey	Lovelace	Poole
Beebe	Golson	Luck	Rogers (Mobile)
Brunson	Goode	McAdory	St. John
Bryant	Goodwyn	Martin	Shivers
Burleson	Green	Merrill	Simpson
Burns	Grove	Molette	Smith
Byars	Gullatt	Monk	Starnes
Cannon	Guy	Morrow	Stephens
Carter	Hawkins	Mullen	Ware
Cook	Hollis	Nipper	Webb
Darden			

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MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 681. To amend Section 1936 of the Code of 1923.

By a vote of a majority of the whole number elected to the Senate; said vote being, Yeas, 21; Nays, 0.

And said Bill, H. 681, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being, Yeas, 22; nays, 0.

And returns same herewith to the House.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

By a vote of a majority of the whole number elected to the Senate; said vote being, Yeas, 27; nays, 0.

And said bill, H. 573, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed a vote of a majority of the whole number elected to the Senate; said vote being, Yeas, 24; nays, 0.

And returns same herewith to the House.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal Census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the state, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties Juvenile and Domestic Relations Courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency, neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to

provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizance and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an Advisory Board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

By a vote of a majority of the whole number elected to the Senate; said vote being, Yeas, 25; nays, 0.

And said Bill, H. B. 574, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being, Yeas, 22; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

RECESS.

On motion of Mr. Lusk, the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION.

The hour of 2:30 o'clock P. M., having arrived, the House reconvened.

BILLS INDEFINITELY POSTPONED.

On motion of Mr. Hawkins, the bills:

H. 596. To allow the Constable in Precinct No. 45 in the County of Jefferson, to appoint deputies.

Also:

H. 872. To provide for and regulate the appointment of Deputy Constables by the Constables of Precincts Thirty-three,

Forty-five and Thirty-seven of Jefferson County, Alabama, and fix the allowances and fees of the Constables of said Precincts.

Were indefinitely postponed.

On motion of Mr. Simpson the Bill H. 475 was indefinitely postponed.

RECOMMITTAL OF BILL.

On motion of Mr. Anderson the bill:

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by The Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.'

Was recommitted to the Standing Committee on Appropriations.

BILLS ON THIRD READING.

H. 33. To authorize the loan of money at 7% or less, and to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

Was read a third time at length and passed.

Yeas, 52; Nays, 21.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	McAdory	Sanders (Pike)
Allen	Green	Matthews	Sanderson
Anderson	Gullatt	Miller (Marengo)	Shivers
Ashcraft	Howell	Molette	Smith
Baldwin	Hughes	Nipper	Starnes
Beebe	Jeter	Owens	Stephens
Brunson	Johnson	Parish	Tunstall
Cook	Jones (Bullock)	Pegues	Vickers
Denson	Jordan (Etowah)	Powell	Waddell
Fite	Jordan (Washington)	Rankin	Ward (Geneva)
Frey	Kirkpatrick	Rivers	Ward (Tuscaloosa)
Golson	Lee	Rogers (Elmore)	Webb
Goode	Lovellace	Rogers (Mobile)	Winn

Nays:

Messrs:

Adcock	Darden	Hollis	Reeder
Bartlett	Deloney	Jones (Clebune)	Simpson
Bryant	Edwards	Monk	Stewart (Calhoun)
Cannon	Hampton	Mullen	Ware
Christian	Hightower	Quillin	Weldon
Cockrell			

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And on motion of Mr. Waddell the Bill H. 33 was sent forth-with to the Senate without engrossment.

H. 483. (with amendment): To amend Section 7327 of the Code of Alabama, 1923.

Was taken up. The question was open the adoption of the amendment reported by the Standing Committee on Judiciary. Said Committee amendment being as follows:

Amend H. 483 by inserting "Seven Thousand" in lieu of "Seven Thousand five hundred." And the amendment was tabled. And the Bill:

H. 483. To amend Section 7327 of the Code of Alabama, 1923.

Was read a third time at length and lost.

Yeas, 43; Nays, 46.

Yeas:

Messrs:

Ashcraft	Green	Lovelace	Simpson
Baldwin	Grove	Luck	Smith
Beebe	Gullatt	Miller (Sumter)	Starnes
Carter	Harwood	Patterson	Stewart (Calhoun)
Cockrell	Hawkins	Pitts	Tunstall
Darden	Jeter	Powell	Vickers
Denson	Jones (Bullock)	Rankin	Waddell
Edmundson	Jordan (Etowah)	Rivers	Ward (Geneva)
Frey	Kirkpatrick	Rogers (Mobile)	Ward (Tuscaloosa)
Goode	Langdon	Sanderson	Winn
Goodwyn	Lee	Shepherd	

—43

Nays:

Messrs:

Mr. Speaker	Edwards	Miller (Marengo)	Rogers (Elmore)
Adcock	Fite	Molette	Sanders (Conecuh)
Allen	Hampton	Monk	Sanders (Pike)
Anderson	Hightower	Mullen	Shivers
Bartlett	Hollis	Nipper	Stephens
Brunson	Howard	Owens	Stewart (Bibb)
Bryant	Howell	Parish	Thompson
Burleson	Hughes	Pegues	Tompkins
Burns	Johnson	Poole	Ware
Byars	Jones (Clebune)	Quillin	Webb
Cannon	Jordan (Washington)	Reeder	Weldon
Deloney	Matthews		

—46

H. 497. (with substitute): To amend Section 6702 of the Code of Alabama, 1923.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary. Said substitute being as follows:

Substitute by Standing Committee on Judiciary for H. 497.

A Bill to be entitled an Act to amend Section 6702 of the Code of Alabama, 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 6702 of the 1923 Code of Alabama be, and the same is, hereby amended so as to read as follows:

6702. Salary of Circuit Court Judges. The salary payable out of the State Treasury of every Circuit Judge in this State, is \$5,000.000 per annum, payable in equal monthly installments, as the salaries of other State officers are paid. Provided that in Circuits in which the salary of the Judge or Judges, is now or hereafter may be paid in part or supplemented by a county, or counties, such part of such salaries so paid by said county, or counties, shall continue to be paid to such Judge, or Judges, as is now provided by law, which portion of such salaries shall be in addition to the \$5,000.00 hereby directed and authorized to be paid by the State.

Provided further, however, that in all circuits now or hereafter composed of only one county and having more than two judges, each judge shall in addition to the \$5,000.00 annual salary paid by the State, receive the further annual sum of \$3,000.00 payable out of the county treasury of the county composing said circuit in twelve monthly installments upon the warrant of such judge. Provided, however, that if any clause or provision herein is declared unconstitutional or otherwise invalid or ineffective, the other clauses or provisions shall remain in full force and effect.

Section 2. This Act shall become effective upon its passage, and the substitute was adopted.

Yeas, 72; Nays, 12.

Yeas:

Messrs:

Adcock	Carter	Hawkins	Kirkpatrick
Allen	Cook	Hightower	Lee
Anderson	Darden	Howard	Lovelace
Baldwin	Denson	Hubbard	Luck
Bartlett	Edwards	Hughes	McAdory
Beebe	Frey	Jeter	Matthews
Brunson	Golson	Johnson	Miller (Marengo)
Bryant	Goode	Jones (Bullock)	Miller (Sumter)
Burleson	Goodwyn	Jones (Clebume)	Monk
Burns	Gullatt	Jordan (Etowah)	Morrow
Byars	Harwood	Jordan ¹ (Washington)	Mullen

Nipper	Rogers (Elmore)	Simpson	Vickers
Parish	Rogers (Mobile)	Smith	Waddell
Patterson	Sanders (Conecuh)	Starnes	Ward (Geneva)
Pegues	Sanders (Pike)	Stephens	Ward (Tuscaloosa)
Pitts	Sanderson	Stewart (Calhoun)	Webb
Reeder	Shepherd	Thompson	Weldon
Rivers	Shivers	Tompkins	Winn

—72

Nays:

Messrs:

Mr. Speaker	Cockrell	Green	Howell
Cannon	Deloney	Grove	Powell
Christian	Fite	Hollis	Quillin

—12

And the Bill:

H. 497. To amend Section 6702 of the Code of Alabama, 1923.

As amended was read a third time at length and passed.

Yeas, 75; Nays, 8.

Yeas:

Messrs.:

Adcock	Goodwyn	Matthews	Sanderson
Allen	Gullatt	Miller (Marengo)	Shepherd
Anderson	Harwood	Miller (Sumter)	Shivers
Baldwin	Hawkins	Monk	Simpson
Bartlett	Hightower	Morrow	Smith
Beebe	Howard	Mullen	Starnes
Brunson	Hubbard	Nipper	Stephens
Bryant	Hughes	Owens	Stewart (Calhoun)
Burns	Jeter	Parish	Thompson
Byars	Johnson	Patterson	Tompkins
Cockrell	Jones (Bullock)	Pegues	Tunstall
Cook	Jones (Cleburne)	Pitts	Vickers
Darden	Jordan (Etowah)	Powell	Waddell
Denson	Jordan (Washington)	Reeder	Ward (Geneva)
Edmundson	Kirkpatrick	Rivers	Ward (Tuscaloosa)
Edwards	Lee	Rogers (Elmore)	Webb
Frey	Lovelace	Rogers (Mobile)	Weldon
Golson	Luck	Sanders (Conecuh)	Winn
Goode	Martin	Sanders (Pike)	

—75

Nays:

Messrs.:

Mr. Speaker	Deloney	Green	Hollis
Cannon	Fite	Grove	Quillin

—8

And on motion of Mr. Simpson the Bill H. 497 was ordered sent to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

Ry Mr. Fite:

S. J. R. 79. Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet Wednesday, August 10th, and that when the two houses adjourn on Wednesday, August 10th, that they adjourn to meet again on Friday, August 12th.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The S. J. R. 79 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the Resolution:

H. J. R. 204. Relative to adjournment of the two Houses until Thursday, August 11th, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING.

H. 488. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.

Was read a third time at length and passed.

Yeas, 67; Nays, 2.

Yeas:

Messrs.:

Adcock	Edwards	Luck	Rivers
Allen	Fite	Martin	Sanders (Pike)
Anderson	Goode	Matthews	Sanderson
Ashcraft	Goodwyn	Merrill	Shepherd
Bartlett	Green	Miller (Marengo)	Simpson
Beebe	Gullatt	Miller (Sumter)	Starnes
Brunson	Harwood	Molette	Stewart (Calhoun)
Burns	Hightower	Monk	Thompson
Byars	Hollis	Nipper	Tompkins
Cannon	Howard	Owens	Tunstall
Carter	Hubbard	Parish	Vickers
Christian	Jeter	Pegues	Waddell
Cockrell	Johnson	Pitts	Ward (Geneva)
Cook	Jones (Cleburne)	Powell	Ward (Tuscaloosa)
Darden	Kirkpatrick	Quillin	Ware
Denson	Lee	Rankin	Weldon
Edmundson	Lovelace	Reeder	

Nays:—Messrs. Baldwin and Frey—2.

H. 490. To amend section 6248 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 58; Nays, 20.

Yeas:

Messrs:			
Adcock	Goodwyn	Miller (Marengo)	Sanders (Pike)
Anderson	Grove	Miller (Sumter)	Sanderson
Baldwin	Harwood	Monk	Shepherd
Bartlett	Hawkins	Mullen	Simpson
Beebe	Johnson	Nipper	Starnes
Bryant	Jones (Bullock)	Owens	Stewart (Calhoun)
Burleson	Jordan (Etowah)	Parish	Thompson
Burns	Jordan (Washington)	Patterson	Tompkins
Carter	Kirkpatrick	Pegues	Tunstall
Cockrell	Lee	Pitts	Vickers
Darden	Lovelace	Powell	Ward (Geneva)
Edmundson	Luck	Quillin	Ward (Tuscaloosa)
Fite	Martin	Rogers (Elmore)	Ware
Frey	Matthews	Rogers (Mobile)	Webb
Goode	Merrill		

—58

Nays:

Messrs:			
Burleson	Deloney	Hightower	Jones (Cleburne)
Byars	Edwards	Hollis	Rankin
Cannon	Golson	Howard	Reeder
Christian	Guy	Howell	Rivers
Cook	Hampton	Hughes	Stephens

—20

H. 530. To repeal Section 7206 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 78; Nays, 2.

Yeas:

Messrs:			
Mr. Speaker	Darden	Howard	Miller (Sumter)
Adcock	Deloney	Howell	Molette
Allen	Edmundson	Hughes	Monk
Anderson	Edwards	Jeter	Mullen
Ashcraft	Fite	Johnson	Nipper
Baldwin	Frey	Jones (Bullock)	Owens
Bartlett	Golson	Jones (Cleburne)	Parish
Branson	Goode	Jordan (Etowah)	Patterson
Bryant	Goodwyn	Kirkpatrick	Pegues
Burleson	Green	Lee	Pitts
Burns	Grove	Lovelace	Powell
Byars	Guy	Luck	Rankin
Carter	Harwood	Martin	Reeder
Christian	Hawkins	Matthews	Rivers
Cockrell	Hightower	Merrill	Rogers (Elmore)
Cook	Hollis	Miller (Marengo)	Rogers (Mobile)

Sanders (Conecuh)	Stephens	Vickers	Ward (Tuscaloosa)
Sanders (Pike)	Stewart (Bibb)	Waddell	Ware
Simpson	Thompson	Ward (Geneva)	Weldon
Starnes	Tompkins		

—78

Nays:—Messrs. Cannon and Quillin—2.

H. 504. To provide for the joining of suits for loss of services of married women and minors, with suits for personal injuries occasioning such loss of services, and repealing laws in conflict herewith.

Was taken up. Mr. Simpson offered the following amendment to the Bill H. 504.

Amend H. 504:

Amend Sec. 2 of H. 504 by adding the following words in said Section immediately after the word "consolidated" viz: "or ordered to be tried jointly."

And the amendment offered by Mr. Simpson was lost.

Yeas, 35; Nays, 46.

Yeas:

Messrs:

Ashcraft	Goode	Johnson	Molette
Bryant	Goodwyn	Jones (Bullock)	Rogers (Mobile)
Burleson	Green	Jones (Cleburne)	Sanders (Pike)
Byars	Harwood	Jordan (Etowah)	Simpson
Christian	Hawkins	Kirkpatrick	Stewart (Bibb)
Cook	Hightower	Lee	Tunstall
Denson	Hollis	Luck	Vickers
Edmundson	Hubbard	Merrill	Waddell
Edwards	Jeter	Miller (Marengo)	Ward (Tuscaloosa)

—35

Nays:

Messrs:

Adcock	Frey	Mullen	Rivers
Allen	Golson	Nipper	Sanderson
Anderson	Grove	Owens	Shepherd
Baldwin	Guy	Parish	Starnes
Bartlett	Hampton	Patterson	Stephens
Brunson	Howard	Pegues	Stewart (Calhoun)
Burns	Howell	Pitts	Tompkins
Cannon	Jordan (Washington)	Powell	Ward (Geneva)
Carter	McAdory	Quillin	Ware
Cockrell	Martin	Rankin	Webb
Darden	Miller (Sumter)	Reeder	Weldon
Fite	Monk		

—46

And the Bill:

H. 504. To provide for the joining of suits for loss of services of married women and minors, with suits for personal injuries occasioning such loss of services, and repealing laws in conflict herewith.

Was read a third time at length and lost.
Yeas, 25; Nays, 63.

Yeas:

Messrs:			
Ashcraft	Goodwyn	Jordan (Etowah)	Rogers (Elmore)
Byars	Green	Lee	Rogers (Mobile)
Christian	Harwood	Lovelace	Simpson
Cook	Hollis	Merrill	Tunstall
Denson	Jeter	Molette	Vickers
Edmundson	Johnson	Norman	Waddell
Goode			

—25

Nays:

Messrs.:			
Adcock	Frey	Matthews	Rivers
Allen	Golson	Miller (Marengo)	Sanders (Conecuh)
Anderson	Grove	Miller (Sumter)	Sanders (Pike)
Baldwin	Gullatt	Monk	Sanderson
Bartlett	Guy	Mullen	Starnes
Branson	Hampton	Nipper	Stephens
Bryant	Hightower	Owens	Stewart (Calhoun)
Burleson	Howard	Parish	Thompson
Burns	Howell	Patterson	Tompkins
Cannon	Hubbard	Pegues	Ward (Geneva)
Carter	Hughes	Pitts	Ward (Tuscaloosa)
Cockrell	Jones (Cleburne)	Poole	Ware
Darden	Jordan (Washington)	Powell	Webb
Deloney	Kirkpatrick	Quillin	Weldon
Edwards	McAdory	Rankin	Winn
Fite	Martin	Reeder	

—63

H. 1016. To provide that all persons who have heretofore engaged in the practice of veterinary medicine in Dekalb County, Alabama for ten years be allowed to continue the practice of veterinary medicine and surgery in Dekalb County, Alabama without procuring a license or permit from the State Board of Veterinary Medical Examiners of The State of Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Christian	Hawkins	Morrow
Adcock	Cockrell	Hollis	Patterson
Allen	Cook	Howard	Pegues
Anderson	Darden	Howell	Pitts
Baldwin	Desear	Hubbard	Poole
Bartlett	Goodwyn	Lovelace	Rankin
Beebe	Green	Martin	Reeder
Burleson	Grove	Merrill	Rogers (Elmore)
Burns	Gullatt	Miller (Sumter)	Rogers (Mobile)
Byars	Guy	Molette	St. John
Cannon	Harwood	Monk	Sanders (Conecuh)

Sanders (Pike)	Starnes	Tompkins	Ward (Tuscaloosa)
Sanderson	Stephens	Tunstall	Ware
Shepherd	Stewart (Bibb)	Vickers	Webb
Shivers	Stewart (Calhoun)	Waddell	Weldon
Simpson	Thompson	Ward (Geneva)	Winn
Smith			

—65

H. 1015. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama, and to provide that the members of the County Commissioners' Court shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such to define their duties and fix their compensation as such supervisors.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Beebe	Goodwyn	Langdon	Parish
Brunson	Green	Lee	Patterson
Bryant	Grove	Lovelace	Pitts
Burleson	Harwood	Luck	Poole
Burns	Hawkins	McAdory	Powell
Byars	Hightower	Martin	Quillin
Cannon	Howell	Matthews	Rankin
Darden	Hubbard	Merrill	Reeder
Deloney	Hughes	Miller (Marengo)	Rivers
Denson	Jeter	Miller (Sumter)	Rogers (Elmore)
Desear	Johnson	Monk	Shivers
Edmundson	Jones (Bullock)	Morrow	Smith
Edwards	Jones (Cleburne)	Mullen	Ward (Geneva)
Fite	Jordan (Etowah)	Nipper	Ward (Tuscaloosa)
Frey	Jordan (Washington)	Norman	Ware
Golson	Kirkpatrick	Owens	
Goode			

—65

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12, of an Act entitled, "An Act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collections and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this act, approved Feb. 10, 1923.

Was read a third time at length and passed.

Yeas, 62; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Jones (Bullock)	Parish
Allen	Denson	Jones (Cleburne)	Pegues
Anderson	Desear	Jordan (Etowah)	Poole
Ashcraft	Edwards	Jordan (Washington)	Powell
Baldwin	Fite	Kirkpatrick	Reeder
Bartlett	Goode	Lee	Rivers
Beebe	Grove	Luck	Shepherd
Brunson	Gullatt	McAdory	Shivers
Bryant	Harwood	Miller (Sumter)	Smith
Burleson	Hightower	Monk	Starnes
Burns	Howard	Morrow	Vickers
Byars	Howell	Mullen	Waddell
Cannon	Hubbard	Nipper	Ware
Carter	Hughes	Norman	Webb
Cockrell	Jeter	Owens	Weldon
Cook	Johnson		

—62

H. 984. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Howell	Pegues	Smith
Baldwin	Jones (Bullock)	Pitts	Starnes
Bartlett	Lee	Poole	Stephens
Beebe	Matthews	Powell	Stewart (Bibb)
Burns	Merrill	Quillin	Stewart (Calhoun)
Byars	Miller (Marengo)	Rankin	Thompson
Cockrell	Miller (Sumter)	Reeder	Tompkins
Cook	Molette	Ringer	Tunstall
Deloney	Monk	Rivers	Vickers
Denson	Morrow	Rogers (Elmore)	Waddell
Desear	Mullen	Sanders (Conecuh)	Ward (Geneva)
Goode	Nipper	Sanders (Pike)	Ward (Tuscaloosa)
Grove	Norman	Sanderson	Ware
Gullatt	Owens	Shepherd	Webb
Guy	Parish	Shivers	Weldon
Hollis	Patterson	Simpson	Winn
Howard			

—65

H. 912. To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Hawkins	Monk	Sanders (Pike)
Adcock	Hightower	Morrow	Sanderson
Allen	Hollis	Norman	Shepherd
Brunson	Howard	Owens	Shivers
Bryant	Howell	Patterson	Simpson
Burleson	Jones (Bullock)	Poole	Smith
Christian	Jones (Cleburne)	Powell	Starnes
Cockrell	Jordan (Etowah)	Quillin	Stephens
Cook	Jordan (Washington)	Rankin	Thompson
Darden	Kirkpatrick	Reeder	Tunstall
Deloney	Lovell	Ringer	Vickers
Denson	McAdory	Rivers	Waddell
Desear	Martin	Rogers (Elmore)	Ware
Edmundson	Matthews	Rogers (Mobile)	Webb
Edwards	Merrill	St. John	Weldon
Hampton	Miller (Marengo)	Sanders (Conecuh)	Winn
Harwood	Molette		

—65

H. 1012. To abolish the office of Deputy Solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws except as herein provided for.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Lee	Powell
Adcock	Denson	Matthews	Quillin
Allen	Desear	Merrill	Rankin
Anderson	Goode	Miller (Marengo)	Reeder
Ashcraft	Goodwyn	Miller (Sumter)	Ringer
Baldwin	Guy	Molette	Rivers
Bartlett	Hampton	Monk	Rogers (Elmore)
Beebe	Harwood	Mullen	Rogers (Mobile)
Brunson	Hawkins	Nipper	St. John
Bryant	Hightower	Norman	Sanders (Conecuh)
Burleson	Hollis	Owens	Sanders (Pike)
Burns	Howard	Parish	Tompkins
Byars	Howell	Patterson	Tunstall
Cannon	Hubbard	Pegues	Vickers
Carter	Hughes	Pitts	Waddell
Cook	Johnson	Poole	Wallace
Darden			

—65

H. 1011. To provide for the fixing of the terms of office of the members of the Board of Revenue of Lawrence county, Alabama, for election of members of said Board of Revenue and for the repeal of all laws, general local and special in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Ashcraft	Hampton	Matthews	Smith
Baldwin	Harwood	Merrill	Starnes
Bartlett	Hawkins	Miller (Marengo)	Stephens
Beebe	Hightower	Miller (Sumter)	Stewart (Bibb)
Brunson	Howell	Mullen	Stewart (Calhoun)
Byars	Hubbard	Patterson	Thompson
Carter	Hughes	Pegues	Tompkins
Christian	Jeter	Rogers (Elmore)	Tunstall
Cockrell	Johnson	Rogers (Mobile)	Vickers
Edwards	Jones (Bullock)	St. John	Waddell
Golson	Jones (Cleburne)	Sanders (Conecuh)	Ward (Geneva)
Goode	Jordan (Etowah)	Sanders (Pike)	Ward (Tuscaloosa)
Goodwyn	Jordan (Washington)	Sanderson	Ware
Green	Lovelace	Shepherd	Webb
Grove	Luck	Shivers	Weldon
Gullatt	McAdory	Simpson	Winn
Guy			

—65

H. 1013. To create the office of County Solicitor of Lawrence County, Alabama, to provide for the election of such officer by the qualified voters of said County to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Allen	Howard	Nipper	St. John
Anderson	Hughes	Norman	Sanders (Conecuh)
Ashcraft	Jeter	Owens	Sanders (Pike)
Baldwin	Johnson	Parish	Starnes
Bartlett	Jones (Cleburne)	Patterson	Stephens
Burns	Lawler	Pegues	Stewart (Bibb)
Byars	Lee	Pitts	Stewart (Calhoun)
Cockrell	Lovelace	Poole	Tompkins
Edmundson	Luck	Powell	Tunstall
Fite	McAdory	Quillin	Vickers
Frey	Martin	Rankin	Waddell
Golson	Matthews	Reeder	Ward (Tuscaloosa)
Goode	Miller (Marengo)	Ringer	Ware
Goodwyn	Molette	Rivers	Webb
Gullatt	Monk	Rogers (Elmore)	Weldon
Hampton	Mullen	Rogers (Mobile)	Winn
Harwood			

—65

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges, and to authorize courts of county commissioners, boards of revenue, or other like governing bodies

of the several counties of Alabama, having a population of not less than ninety thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to issue new interest bearing warrants, at the same or a less rate of interest, in lieu of the warrants, the time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Guy	Molette	Simpson
Adcock	Hawkins	Monk	Smith
Anderson	Hightower	Mullen	Starnes
Brunson	Howard	Norman	Stephens
Bryant	Hubbard	Owens	Stewart (Bibb)
Burleson	Johnson	Reeder	Stewart (Calhoun)
Burns	Jordan (Etowah)	Ringer	Thompson
Byars	Jordan (Washington)	Rivers	Tompkins
Cannon	Lawler	Rogers (Elmore)	Tunstall
Carter	Lovelace	Rogers (Mobile)	Vickers
Christian	Luck	St. John	Waddell
Edmundson	Martin	Sanders (Conecuh)	Ward (Geneva)
Edwards	Matthews	Sanders (Pike)	Ware
Frey	Merrill	Sanderson	Webb
Golson	Miller (Marengo)	Shepherd	Weldon
Green	Miller (Sumter)	Shivers	Winn
Grove			

—65

S. 411. To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Anderson	Goodwyn	Monk	Shepherd
Ashcraft	Green	Norman	Shivers
Baldwin	Grove	Owens	Simpson
Bartlett	Gullatt	Patterson	Smith
Beebe	Guy	Pegues	Starnes
Brunson	Harwood	Pitts	Stewart (Bibb)
Burleson	Hubbard	Poole	Thompson
Christian	Hughes	Quillin	Tompkins
Cockrell	Lovelace	Rankin	Tunstall
Cook	Luck	Rivers	Vickers
Darden	McAdory	Rogers (Elmore)	Waddell
Deloney	Martin	Rogers (Mobile)	Ward (Geneva)
Denson	Matthews	St. John	Ware
Edmundson	Merrill	Sanders (Conecuh)	Webb
Edwards	Miller (Marengo)	Sanders (Pike)	Weldon
Fite	Miller (Sumter)	Sanderson	Winn
Goode			

—65

H. 989. To provide for the construction of certain public roads and bridges in Greene County, to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Matthews	St. John
Adcock	Gullatt	Merrill	Sanders (Conecuh)
Allen	Hampton	Miller (Marengo)	Sanders (Pike)
Anderson	Harwood	Miller (Sumter)	Sanderson
Ashcraft	Hawkins	Mullen	Shepherd
Brunson	Hightower	Nipper	Shivers
Bryant	Jones (Bullock)	Norman	Simpson
Burleson	Jones (Cleburne)	Owens	Smith
Burns	Jordan (Etowah)	Parish	Starnes
Byars	Jordan (Washington)	Patterson	Stephens
Cannon	Langdon	Poole	Stewart (Bibb)
Cook	Lawler	Powell	Stewart (Calhoun)
Denson	Lovelace	Quillin	Thompson
Desear	Luck	Rankin	Tompkins
Edmundson	McAdory	Reeder	Tunstall
Edwards	Martin	Rogers (Mobile)	Vickers
Fite			

—65

H. 1001. To create an Inferior Court, to be known as the Gadsden Inferior Court, for Precincts One (1) and Twenty-six (26) of Etowah County, Alabama, which Precincts lie within or partly within the City of Gadsden, Alabama, in lieu of Justices of the Peace and Notary Publics with the power of a Justice of the Peace; to prescribe the jurisdiction, authority, power and duties of said court and the officers thereof; to provide for the transfer of cases from Justices of the Peace and Notary Publics with the power of a Justice of the Peace to the Gadsden Inferior Court; to provide rules of procedure of said court; and to provide for execution of process and operation of said court.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Anderson	Carter	Golson	Hampton
Ashcraft	Cockrell	Goode	Hawkins
Bartlett	Darden	Goodwyn	Hightower
Brunson	Denson	Grove	Howard
Burleson	Edwards	Gullatt	Howell
Byars	Frey	Guy	Jones (Bullock)

Jones (Cleburne)	Moxley	St. John	Stewart (Calhoun)
Jordan (Etowah)	Mullen	Sanders (Conecuh)	Thompson
Jordan (Washington)	Owens	Sanders (Pike)	Vickers
Langdon	Pitts	Sanderson	Waddell
Luck	Powell	Shepherd	Ward (Geneva)
McAdory	Quillin	Shivers	Ward (Tuscaloosa)
Martin	Rankin	Simpson	Ware
Matthews	Reeder	Smith	Webb
Merrill	Rogers (Elmore)	Stephens	Weldon
Miller (Marengo)	Rogers (Mobile)	Stewart (Bibb)	Winn
Miller (Sumter)			

—65

H. 908. To further regulate inferior courts in cities having more than one hundred thousand population according to the last or any subsequent federal census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation, and to provide for and fix the compensation of the deputy solicitor of such court, and to provide that this act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Adcock	Guy	Mullen	Sanders (Conecuh)
Allen	Hawkins	Nipper	Sanders (Pike)
Burleson	Hollis	Norman	Sanderson
Burns	Hubbard	Owens	Shepherd
Byars	Hughes	Parish	Shivers
Cannon	Jeter	Pitts	Simpson
Carter	Johnson	Poole	Smith
Christian	Lawler	Powell	Starnes
Cockrell	Lee	Quillin	Stephens
Edmundson	Luck	Rankin	Stewart (Bibb)
Edwards	McAdory	Reeder	Stewart (Calhoun)
Fite	Martin	Ringer	Thompson
Goode	Matthews	Rivers	Tompkins
Goodwyn	Merrill	Rogers (Elmore)	Tunstall
Green	Molette	Rogers (Mobile)	Vickers
Grove	Monk	St. John	Waddell
Gullatt			

—65

S. 416. To amend Section 1 and repeal Sections 2, 3 and 4 of an Act, entitled an Act, "To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry County, Alabama, since the first day of January 1913 and prior to the first day of August 1919, to be reg-

istered and paid out of the fine and forfeiture fund of said county," approved August 16, 1919.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	Miller (Marengo)	Shepherd
Adcock	Gullatt	Miller (Sumter)	Shivers
Allen	Guy	Molette	Smith
Anderson	Hawkins	Parish	Starnes
Ashcraft	Hollis	Patterson	Stephens
Baldwin	Howard	Pegues	Stewart (Bibb)
Bartlett	Howell	Pitts	Stewart (Calhoun)
Brunson	Johnson	Poole	Tompkins
Christian	Lawler	Powell	Tunstall
Cockrell	Lee	Reeder	Vickers
Cook	Lovelace	Rogers (Elmore)	Ward (Geneva)
Darden	Luck	Rogers (Mobile)	Ward (Tuscaloosa)
Deloney	McAdory	St. John	Ware
Denson	Martin	Sanders (Conecuh)	Webb
Desear	Matthews	Sanders (Pike)	Weldon
Goodwyn	Merrill	Sanderson	Winn
Green			

—65

S. 379. "To further provide for construction and maintenance of the public roads and bridges of the county of Henry in the State of Alabama by requiring personsal service to be rendered thereon by the residents of said county; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said county to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this Act, all of which under directions of the Commissioner's Court of said county; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date for this Act to take effect."

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Brunson	Cockrell	Guy
Adcock	Bryant	Cook	Hampton
Allen	Burleson	Darden	Harwood
Anderson	Burns	Desear	Hawkins
Ashcraft	Byars	Fite	Hightower
Baldwin	Cannon	Frey	Hollis
Bartlett	Carter	Golson	Howard
Beebe	Christian	Gullatt	Howell

Hubbard	Luck	Monk	Powell
Hughes	McAdory	Morrow	Quillin
Jeter	Martin	Norman	Rankin
Johnson	Matthews	Owens	Reeder
Kirkpatrick	Merrill	Parish	Rivers
Langdon	Miller (Marengo)	Patterson	Rogers (Elmore)
Lawler	Miller (Sumter)	Pitts	Thompson
Lee	Molette	Poole	Tompkins
Lovelace			

S. 378. To repeal an Act entitled An Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act," approved September 28th, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Allen	Green	Patterson	Smith
Anderson	Grove	Pegues	Starnes
Ashcraft	Gullatt	Pitts	Stephens
Baldwin	Guy	Poole	Stewart (Bibb)
Cockrell	Hightower	Powell	S'ewart (Calhoun)
Cook	Hollis	Quillin	Thompson
Darden	Miller (Marengo)	Rankin	Tompkins
Deloney	Miller (Sumter)	Reeder	Tunstall
Denson	Molette	Ringer	Vickers
Desear	Monk	Rogers (Elmore)	Waddell
Edmundson	Moxley	Rogers (Mobile)	Ward (Geneva)
Edwards	Mullen	Sanders (Conecuh)	Ward (Tuscaloosa)
Fite	Nipper	Sanders (Pike)	Ware
Frey	Norman	Sanderson	Webb
Golson	Owens	Shepherd	Weldon
Goode	Parish	Shivers	Winn
Goodwyn			

H. 651. To provide for the election of a County Superintendent of education for Etowah County, Alabama, by the qualified electors thereof; and to prescribe the qualifications, duties and to fix the term of office and compensation of such officer.

Was taken up. Mr. Thompson offered the following amendment to the Bill H. 651.

Amendment to House Bill 651:

Amend House Bill 651 by striking out the figures 1928 where they appear in Section 1 and substituting in lieu thereof the figures 1930.

Section 6. In the event that any section, clause, or part of this bill is declared unconstitutional or for any reason is invalid, it shall not effect the remainder thereof.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cook	Hollis	Luck
Adcock	Darden	Howard	Mullen
Allen	Deloney	Howell	Nipper
Anderson	Denson	Hubbard	Norman
Ashcraft	Edwards	Hughes	Owens
Baldwin	Fite	Jeter	Parish
Bartlett	Frey	Johnson	Patterson
Beebe	Golson	Jones (Bullock)	Pegues
Brunson	Green	Jones (Cleburne)	Starnes
Bryant	Grove	Jordan (Etowah)	Stephens
Burleson	Gullatt	Jordan (Washington)	Stewart (Bibb)
Burns	Guy	Kirkpatrick	Stewart (Calhoun)
Byars	Hampton	Langdon	Ward (Geneva)
Cannon	Harwood	Lawler	Ward (Tuscaloosa)
Carter	Hawkins	Lee	Weldon
Christian	Hightower	Lovelace	Winn
Cockrell			

—65

Mr. Jordan of Etowah offered the following amendment to the Bill H. 651.

Amend House Bill No. 651 by amending Section One (1) to read as follows:

Section 1. That upon the presentation of a petition signed by not less than twenty-five per centum of the qualified electors of Etowah County, Alabama, to the Probate Judge of said County not less than ninety (90) days prior to the general election in 1928, requesting that an election be called in said County for the purpose of submitting to the qualified electors thereof the question of whether or not the Superintendent of Education in said County shall be elected by the qualified voters thereof—or selected by the County Board of Education. That the Probate Judge, after ascertaining that the petition contains the required number of signers shall call such an election to be held on the first Tuesday after the first Monday in November 1928, and shall advertise the same in some newspaper published in Etowah County for two consecutive weeks. That the ballot to be used in said election shall read as follows:

"Shall the County Superintendent of Education in Etowah County be elected by the qualified electors as other County officers are elected?"

"Yes....."

No....."

"The voter shall make a cross mark before or after his choice".

Said election shall be conducted by the same election officers who conduct the general election, the vote canvassed and the result declared in the same manner as is provided by law for general elections.

If in said election the majority of the votes cast are in favor of the election by popular vote then there shall be elected in 1930, at the same time and in the same manner as other County officers are elected. The County Superintendent of Education whose terms of office shall begin on the First Monday after the Second Tuesday in January 1931, and every four years thereafter.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Allen	Jones (Cleburne)	Poole	Smith
Cannon	Jordan (Etowah)	Powell	Starnes
Carter	Jordan (Washington)	Quillin	Stephens
Christian	Kirkpatrick	Rankin	Stewart (Bibb)
Cockrell	Langdon	Reeder	Stewart (Calhoun)
Cook	Lawler	Ringer	Thompson
Darden	Lee	Rivers	Tompkins
Deloney	Lovell	Rogers (Elmore)	Tunstall
Denson	Morrow	Rogers (Mobile)	Vickers
Fite	Mullen	St. John	Waddell
Frey	Nipper	Sanders (Conecuh)	Ward (Geneva)
Golson	Norman	Sanders (Pike)	Ward (Tuscaloosa)
Goode	Parish	Sanderson	Ware
Goodwyn	Patterson	Shepherd	Webb
Jeter	Pegues	Shivers	Weldon
Johnson	Pitts	Simpson	Winn
Jones (Bullock)			

—65

And the Bill:

H. 651. To provide for the election of a County Superintendent of education for Etowah County, Alabama, by the qualified electors thereof; and to prescribe the qualifications, duties and to fix the term of office and compensation of such officer.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Desear	Jeter	Pitts
Adcock	Edwards	Johnson	Poole
Allen	Fite	Jordan (Etowah)	Powell
Beebe	Frey	Lawler	Ringer
Brunson	Golson	Lee	Rivers
Bryant	Goode	Lovelace	Rogers (Mobile)
Burleson	Goodwyn	Luck	St. John
Burns	Green	McAdory	Shivers
Byars	Grove	Martin	Simpson
Cannon	Gullatt	Matthews	Smith
Carter	Guy	Merrill	Thompson
Christian	Hollis	Molette	Tompkins
Cockrell	Howard	Monk	Ware
Cook	Howell	Morrow	Webb
Darden	Hubbard	Mullen	Weldon
Deloney	Hughes	Nipper	Winn
Denson			

—65

H. 995. To extend the terms of all Judges of Inferior Courts created in lieu of Justices of the Peace, in counties having a population of 200,000 or more, according to the last or any subsequent Federal census, and where such Judges of Inferior Courts are elected by the Judges of the Courts of record, or a portion of such Judges of Courts of record, in such counties.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Luck	Powell
Adcock	Fite	McAdory	Quillin
Allen	Frey	Martin	Rankin
Bartlett	Golson	Merrill	Reeder
Beebe	Goode	Molette	Ringer
Brunson	Goodwyn	Monk	Rivers
Bryant	Green	Morrow	St. John
Burns	Grove	Mullen	Shivers
Bvays	Gullatt	Nipper	Simpson
Cannon	Guy	Norman	Smith
Carter	Hughes	Owens	Starnes
Cook	Jeter	Parish	Stephens
Darden	Johnson	Patterson	Ware
Deloney	Lawler	Pegues	Webb
Denson	Lee	Pitts	Weldon
Desear	Lovelace	Poole	Winn
Edmundson			

—65

H. 996. For the relief of J. M. Tuck, as Constable of precinct 21, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Deloney	Hawkins	Molette
Adcock	Denson	Hightower	Monk
Allen	Desear	Hollis	Morrow
Anderson	Edmundson	Howard	Mullen
Ashcraft	Edwards	Howell	Nipper
Baldwin	Fite	Hubbard	Pitts
Bartlett	Frey	Hughes	Poole
Beebe	Golson	Jeter	Powell
Brunson	Goode	Johnson	Shivers
Burleson	Goodwyn	Lawler	Simpson
Burns	Green	Lee	Smith
Byars	Grove	Luck	Starnes
Cannon	Gullatt	McAdory	Ware
Carter	Guy	Martin	Webb
Christian	Hampton	Matthews	Weldon
Cook	Harwood	Merrill	Winn
Darden			

—65

H. 942. To authorize the City School Board or City Board of Education, or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:**Messrs:**

Mr. Speaker	Darden	Hughes	Rankin
Adcock	Deloney	Jeter	Reader
Allen	Denson	Johnson	Ringer
Anderson	Desear	Luck	Rivers
Ashcraft	Edmundson	McAdory	Rogers (Elmore)
Baldwin	Edwards	Molette	Rogers (Mobile)
Bartlett	Fite	Monk	St. John
Beebe	Frey	Morrow	Simpson
Brunson	Golson	Owens	Smith
Bryant	Goode	Parish	Starnes
Burleson	Goodwyn	Patterson	Stephens
Burns	Green	Pegues	Thompson
Byars	Grove	Pitts	Tompkins
Cannon	Gullatt	Poole	Tunstall
Carter	Guy	Powell	Vickers
Cockrell	Hawkins	Quillin	Waddell
Cook			

—65

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having

a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff, where said officials are paid a salary out of the County Treasury.

Was taken up. Mr. Simpson offered the following substitute for the Bill H. 946.

A Bill to be Entitled an Act to further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal Census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff and the Clerks, Bailiffs, Marshals and other employees of all Inferior Courts created in lieu of Justice of the Peace Courts where said officials are paid a salary out of the County Treasury.

Be it Enacted by the Legislature of Alabama :

Section 1. That in all counties in this State having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, that the Board of Revenue or other governing bodies of said county shall fix the salary or compensation of all deputies, assistants, clerks, or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff, and the Clerks, Bailiffs, Marshals and other employees of all Inferior Courts created in lieu of Justice of Peace Courts where said officials are paid a salary out of the County Treasury; provided, however, that the provisions of this bill shall not apply to any officer elected by a vote of the people.

Section 2. That all laws and parts of laws whether local or general in conflict with this Act or inconsistent with its provisions be and the same are hereby repealed.

Section 3. That this Act shall become effective upon its approval by the Governor.

And the substitute was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker
Adcock
Allen
Anderson

Ashcraft
Baldwin
Bartlett
Beebe

Burns
Byars
Cannon
Carter

Cook
Darden
Deloney
Denson

Desear	Hughes	Nipper	Rogers (Elmore)
Edmundson	Jeter	Norman	Sandersson
Edwards	Johnson	Owens	Shepherd
Fite	Jones (Cleburne)	Parish	Shivers
Frey	Langdon	Pitts	Simpson
Golson	Lawler	Poole	Stewart (Calhoun)
Goode	Lee	Powell	Ward (Geneva)
Goodwyn	Lovelace	Quillin	Ward (Tuscaloosa)
Green	Molette	Rankin	Ware
Grove	Monk	Reeder	Webb
Gullatt	Morrow	Ringer	Weldon
Guy	Mullen	Rivers	Winn
Hawkins			

—65

And the Bill:

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff, where said officials are paid a salary out of the County Treasury.

As amended by the substitute offered by Mr. Simpson:

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Kirkpatrick	Rivers
Adcock	Goode	Lee	Rogers (Mobile)
Allen	Goodwyn	Lovelace	St. John
Beebe	Green	Luck	Sanders (Pike)
Brunson	Grove	McAdory	Simpson
Bryant	Gullatt	Miller (Sumter)	Smith
Burns	Guy	Molette	Starnes
Byars	Hampton	Monk	Stephens
Cannon	Harwood	Morrow	Stewart (Calhoun)
Cockrell	Hawkins	Mullen	Tunstall
Cook	Howard	Owens	Vickers
Denson	Howell	Parish	Waddell
Desear	Jeter	Pegues	Ward (Geneva)
Edmundson	Johnson	Pitts	Ward (Tuscaloosa)
Edwards	Jones (Bullock)	Poole	Ware
Fite	Jordan (Etowah)	Ringer	Webb
Frey			

—65

S. 414. To repeal Section 2 of an Act entitled "An Act to authorize and require the Commissioners Court of Lamar County to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State

witnesses issued by the foreman of the grand jury and by the Clerk of the Circuit Court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees" which said act was approved on Dec. 3, 1896.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Jordan (Etowah)	Poole
Beebe	Golson	Luck	Powell
Brunson	Goode	McAdory	Quillin
Bryant	Goodwyn	Martin	Rankin
Burleson	Green	Matthews	Reeder
Burns	Grove	Merrill	Ringer
Byars	Gullatt	Molette	Rivers
Cannon	Guv	Monk	St. John
Carter	Hollis	Morrow	Shepherd
Christian	Howard	Mullen	Shivers
Cook	Howell	Nipper	Simpson
Darden	Hubbard	Norman	Smith
Deloney	Hughes	Owens	Starnes
Denson	Jeter	Parish	Stephens
Desear	Johnson	Pegues	Weldon
Edwards	Jones (Cleburne)	Pitts	Winn
Fite			

—65

S. 404. To alter or re-arrange the boundary lines of the City of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory; beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress Street the north bank of the Tennessee River; thence westwardly with the north bank of the Tennessee River to the east bank of Cypress Creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road bridge over Cypress Creek; thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced thence eastwardly with the north line of Canal Street, produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street the present corporation line to the point of beginning.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:**Messrs:**

Mr. Speaker	Frey	Jordan (Etowah)	Pegues
Adcock	Golson	Langdon	Pitts
Allen	Goode	Lawler	Poole
Anderson	Goodwyn	Lee	Powell
Ashcraft	Green	Lovelace	Reeder
Beebe	Grove	Luck	Ringer
Brunson	Gul'att	McAdory	Rivers
Bryant	Guy	Martin	Shepherd
Burns	Hampton	Molette	Shivers
Byars	Harwood	Monk	Simpson
Cook	Hollis	Morrow	Smith
Darden	Howard	Mullen	Starnes
Deloney	Howell	Nipper	Stephens
Denson	Jeter	Norman	Ward (Geneva)
Desear	Johnson	Owens	Ward (Tuscaloosa)
Edwards	Jones (Cleburne)	Parish	Ware
Fite			

—65

H. 949. To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:**Messrs:**

Mr. Speaker	Deloney	Howell	Pegues
Adcock	Denson	Hubbard	Pitts
Allen	Desear	Hughes	Poole
Anderson	Edmundson	Jeter	Reeder
Ashcraft	Edwards	Johnson	Ringer
Baldwin	Fite	Luck	Rivers
Bartlett	Frey	McAdory	Shivers
Beebe	Golson	Martin	Simpson
Brunson	Goode	Merrill	Smith
Bryant	Goodwyn	Miller (Marengo)	Starnes
Burleson	Green	Miller (Sumter)	Stewart (Bibb)
Burns	Grove	Molette	Stewart (Calhoun)
Byars	Gul'latt	Monk	Ware
Cannon	Guy	Morrow	Webb
Carter	Hollis	Mullen	Weldon
Cook	Howard	Nipper	Winn
Darden			

—65

H. 948. Abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this Act shall go into effect upon its approval.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Jones (Cleburne)	Rivers
Adcock	Fite	Jordan (Washington)	Rogers (Elmore)
Allen	Frey	Lee	Rogers (Mobile)
Anderson	Golson	Lovelace	St. John
Ashcraft	Goode	Luck	Shepherd
Beebe	Goodwyn	McAdory	Shivers
Brunson	Green	Molette	Simpson
Bryant	Grove	Monk	Smith
Burns	Gullatt	Morrow	Starnes
Byars	Guy	Mullen	Stephens
Cannon	Hollis	Nipper	Tunstall
Carter	Howard	Pegues	Vickers
Cook	Howell	Pitts	Waddell
Darden	Hubbard	Poole	Ware
Deloney	Hughes	Reeder	Webb
Denson	Jeter	Ringer	Winn
Desear			

—65

S. 377. To require the boards of revenue and road commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty-five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as road engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict with this Act.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Golson	Johnson	Poole
Adcock	Goode	Langdon	Rogers (Mobile)
Allen	Goodwyn	Lawler	St. John
Beebe	Green	Lee	Sanderson
Brunson	Grove	Lovelace	Shepherd
Bryant	Gullatt	Luck	Shivers
Burleson	Guy	Molette	Simpson
Burns	Hampton	Monk	Smith
Byars	Harwood	Morrow	Starnes
Cook	Fawkins	Mullen	Stephens
Darden	Hollis	Nipper	Stewart (Bibb)
Deloney	Howard	Norman	Stewart (Calhoun)
Denson	Howell	Owens	Waddell
Desear	Hubbard	Parish	Ward (Geneva)
Fite	Hughes	Pegues	Ware
Frey	Jeter	Pitts	Webb

Nay:—Mr. Vickers—1.

—64

S. 381. To fix the compensation of the Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States Census or any such census which may hereafter be taken.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Denson	Jeter	Parish
Adcock	Desear	Johnson	Pitts
Allen	Fite	Lee	Poole
Anderson	Frey	Lovelace	Powell
Ashcraft	Golson	Luck	Sanders (Pike)
Baldwin	Goode	McAdory	Sanderson
Bartlett	Goodwyn	Martin	Smith
Beebe	Green	Matthews	Starnes
Bryant	Grove	Merrill	Stephens
Burleson	Gullatt	Molette	Stewart (Bibb)
Burns	Guy	Monk	Vickers
Byars	Hollis	Morrow	Waddell
Cannon	Howard	Mullen	Ware
Carter	Howell	Nipper	Webb
Cook	Hubbard	Norman	Weldon
Darden	Hughes	Owens	Winn
Deloney			

—65

H. 1002. To permit Justices of the Peace and Notaries Public, who are ex-officio Justices of the Peace, residing in and exercising jurisdiction in territory annexed to any city in this state which city has a population of not less than forty thousand population and not more than fifty-five thousand according to last Federal Census and wherein is located a Court of Common Pleas or an inferior Court with the jurisdiction of a Justice of the Peace, to continue in the exercise of the functions of their respective offices to the expiration of their present terms.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cannon	Goodwyn	Lawler
Adcock	Carter	Green	Lee
Allen	Cook	Grove	Lovelace
Anderson	Darden	Gullatt	Luck
Ashcraft	Deloney	Guy	Martin
Baldwin	Denson	Hollis	Matthews
Bartlett	Desear	Howard	Merrill
Beebe	Fite	Howell	Molette
Bryant	Frey	Hughes	Monk
Burns	Golson	Jeter	Morrow
Byars	Goode	Jones (Bullock)	Mullen

Nipper	Poole	Sanderson	Tunstall
Norman	Powell	Smith	Vickers
Owens	Rogers (Mobile)	Starnes	Waddell
Parish	St. John	Stewart (Bibb)	Ward (Geneva)
Pegues	Sanders (Pike)	Stewart (Calhoun)	Ward (Tuscaloosa)
Pitts			

—65

H. 774. To designate a certain road of Alabama as a State trunk road.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Fite	Langdon	Reeder
Adcock	Frey	Lawler	Ringer
Allen	Golson	Lee	Rivers
Anderson	Goode	Luck	Shivers
Beebe	Goodwyn	Miller (Marengo)	Simpson
Brunson	Green	Molette	Smith
Burns	Grove	Monk	Starnes
Byars	Gullatt	Morrow	Stephens
Cannon	Guy	Mullen	Tunstall
Carter	Hollis	Nipper	Vickers
Cockrell	Howard	Owens	Waddell
Cook	Howell	Parish	Ward (Tuscaloosa)
Darden	Hubbard	Pegues	Ware
Deloney	Hughes	Pitts	Webb
Denson	Jeter	Poole	Weldon
Desear	Johnson	Powell	Winn
Edwards			

—65

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

Was taken up. Mr. Jones of Bullock offered the following amendment to the Bill H. 836

Amend H. 836 by substituting six dollars for eight dollars wherever same occur in bill.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Cook	Grove	Lawler
Adcock	Darden	Gullatt	Lee
Allen	Deloney	Guy	Luck
Anderson	Denson	Hollis	McAdory
Ashcraft	Desear	Howard	Martin
Baldwin	Fite	Howell	Merrill
Bartlett	Frey	Hughes	Miller (Marengo)
Beebe	Goode	Jeter	Miller (Sumter)
Burns	Goodwyn	Johnson	Molette
Byars	Green	Jones (Bullock)	Monk

Morrow	Pitts	Rogers (Elmore)	Starnes
Mullen	Poole	Rogers (Mobile)	Stephens
Nipper	Powell	St. John	Tunstall
Norman	Reeder	Shivers	Vickers
Owens	Ringer	Simpson	Waddell
Parish	Rivers	Smith	Ward (Geneva)
Pegues			

—65

And the Bill:

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Desear	Lawler	Pitts
Adcock	Fite	Lee	Poole
Allen	Frey	Lovelace	Powell
Anderson	Golson	Luck	Rogers (Mobile)
Ashcraft	Goode	Martin	St. John
Baldwin	Goodwyn	Matthews	Sanders (Pike)
Bartlett	Green	Merrill	Sanderson
Beebe	Grove	Molette	Smith
Bryant	Gullatt	Monk	Starnes
Burns	Guy	Morrow	Stewart (Bibb)
Byars	Hollis	Mullen	Stewart (Calhoun)
Cannon	Howard	Nipper	Tunstall
Carter	Howell	Norman	Vickers
Cook	Hughes	Owens	Waddell
Darden	Jeter	Parish	Ward (Geneva)
Deloney	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Denson			

—65

H. 956. To repeal an Act entitled "An Act to establish the Inferior Court of York Beat, Precinct No. 6 in Sumter County, Alabama, in lieu of all justices of the peace therein including the notary public ex-officio justice of the peace therein to be called the Inferior Court of York and to provide that all of the State's laws which are general shall apply to York Precinct No. 6 of Sumter County, Alabama, as to justices of the peace and notary public ex-officio justice of the peace and to provide for the transfer of all cases now on the docket of the said Inferior Court to the Justices of the Peace Court to be established.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Anderson	Bartlett	Bryant
Adcock	Ashcraft	Beebe	Burleson
Allen	Baldwin	Brunson	Burns

Byars	Goodwyn	Luck	Simpson
Cannon	Green	McAdory	Smith
Carter	Grove	Martin	Starnes
Cook	Gullatt	Matthews	Stephens
Darden	Guy	Merrill	Tunstall
Deloney	Hightower	Miller (Sumter)	Vickers
Denson	Hollis	Molette	Waddell
Desear	Howard	Monk	Ward (Geneva)
Edmundson	Howell	Morrow	Ward (Tuscaloosa)
Edwards	Langdon	Pegues	Ware
Fite	Lawler	Pitts	Webb
Frey	Lee	Poole	Weldon
Golson	Lovelace	Shivers	Winn
Goode			

—65

H. 958. For the relief of P. B. Hughes, former sheriff of Tuscaloosa County, Alabama, to authorize, empower and direct the Board of Revenue of Tuscaloosa County, Alabama, to pay to the said P. B. Hughes, out of any funds belonging to Tuscaloosa County and not already otherwise appropriated, the sum of \$1,-510.20, paid by said Board of Revenue to the said P. B. Hughes, as sheriff of Tuscaloosa County, while acting as such sheriff, consisting of the following sums of money on the following accounts:—\$55.80 for postage stamps, \$15.40 as mileage in cases which were not prossed, \$102.00 as fees for guarding prisoners, \$162.00 as fees for bailiffs in the County Court of Tuscaloosa County, and \$1,175.00 as expense of maintaining automobiles for the use of the sheriff and his deputies, amounting in the aggregate to \$1,510.20, and which the said P. B. Hughes has, by the Chief Examiner of Accounts, been required to refund, and which he did refund to Tuscaloosa County on October 29, 1925.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Goodwyn	Lee	Rivers
Adcock	Green	Luck	Shepherd
Allen	Grove	McAdory	Shivers
Bartlett	Gullatt	Martin	Simpson
Beebe	Guy	Matthews	Smith
Burns	Harwood	Merrill	Starnes
Byars	Hawkins	Molette	Stephens
Cannon	Hollis	Monk	Stewart (Bibb)
Carter	Howard	Morrow	Stewart (Calhoun)
Cook	Howell	Owens	Thompson
Darden	Hubbard	Parish	Tomokins
Deloney	Hughes	Pitts	Tunstall
Denson	Jeter	Poole	Vickers
Desear	Jones (Clebune)	Powell	Waddell
Fite	Jordan (Washington)	Reeder	Ward (Tuscaloosa)
Frey	Lawler	Ringer	Ware
Goode			

—65

H. 818. To propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour Counties to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Was read a third time at length and lost.

Yeas, 59; Nays, 1.

Yeas:

Messrs:

Adeock	Frey	McAdory	Rogers (Elmore)
Allen	Goodwyn	Martin	Rogers (Mobile)
Anderson	Grove	Matthews	Sanders (Conecuh)
Ashcraft	Harwood	Miller (Sumter)	Smith
Baldwin	Hawkins	Monk	Stephens
Beebe	Hollis	Morrow	Stewart (Bibb)
Brunson	Howard	Nipper	Tompkins
Bryant	Hubbard	Norman	Vickers
Byars	Hughes	Owens	Waddell
Carter	Johnson	Parish	Ward (Geneva)
Cockrell	Jones (Bullock)	Patterson	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Pegues	Ware
Deloney	Jordan (Etowah)	Pitts	Webb
Edwards	Jordan (Washington)	Quillin	Weldon
Fite	Lee	Reeder	

—59

Nay:—Mr. Speaker—1.

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

Was taken up.

Mr. Frey offered the following amendment to the bill:

Amend Section 1 of "An Act to alter or rearrange the boundary lines of the city of Bessemer, Alabama, so as to include within the corporate limits of said city the territory now included within the town of Brighton, Alabama, and other territory in Jefferson County, Alabama," so that Section 1 thereof shall read as follows:

Section 1. That the boundaries of the city of Bessemer in the County of Jefferson and State of Alabama be, and the same are hereby altered, and rearranged so as to include within the corporate limits of said city all that territory lying within the County of Jefferson included within the boundaries herein set out, to-wit:

Start at the Southeast corner of the Southeast quarter of the Northwest quarter of Section 2, Township 19, Range 4 West, thence North along the boundary of the Northwest half of the Northwest quarter of Section 2, Township 19, Range 4 West, to

the Northern boundary of said Section, thence in a Westerly direction along said boundary 1,200 feet to the West side of right of way of the A. G. S. Railroad, thence at an angle of 60 degrees—00' to the left 2,400 feet to the North property line of 32nd Street, thence at an angle of 90 degrees—00' to the right 3,720 feet to the Northern boundary of Section 3, Township 19, Range 4 West, thence at an angle of 150 degrees—00' to the right 140 feet, thence 90 degrees 40' to the left 1,645 feet to Valley Creek, thence 988.00 feet to the Southeast corner of the Southwest quarter of the Northwest quarter, Section 34, Township 18, Range 4 West, thence 90 degrees 25' to the right 690 feet along quarter Section line to Valley Creek, thence 79 degrees 03' to the left 332 feet; thence 53 degrees 00' to the right 326 feet; thence 68 degrees 30' to the right 371 feet, thence 81 degrees 25' to the left 140.3 feet; thence 68 degrees 40' to the left 754.8 feet; thence 34 degrees 25' to the right 125.7 feet; thence 25 degrees 00' to the left 107.1; thence 23 degrees 00' to the left 388 feet; thence 69 degrees 53' to the right 540 feet; thence 8 degrees 53' to the left 379.6 feet; thence 31 degrees 30' to the right 425.3 feet; thence 36 degrees 27' to the right 227 feet; thence 98 degrees 10' to the right 531.4 feet to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 34, Township 18, Range 4 west, thence in a westernly direction along the Section line 2,670 feet to the Northwest corner of Section 34, Township 18, Range 4 West, thence 88 degrees 15' to the right along the West boundary of said Section 1091 feet to Valley Creek and the old Bessemer boundary line; thence South along said boundary 900 feet; thence at an angle of 135 degrees 00' to the right 176 feet, thence 90 degrees 00' to the left 920 feet to the west property line of 12th Avenue, thence 56 degrees 41' to the left 1,372.7 feet, thence at an angle of 50 degrees 00' to the left 737 feet, thence at an angle of 5 degrees 8'—30" to the left 400 feet; thence at an angle of 5 degrees 8'—30" to the left 400 feet; thence at an angle of 90 degrees—00' to the left 1,215 feet to the west property line of 12th Avenue, and the South property line of 26th Street, thence at an angle of 90 degrees—00' to the right 2,960 feet to the north property line of 20th street on the west property line of 12th Avenue, thence at an angle of 90 degrees—00' to the right 1,360 feet; thence 90 degrees 00' to the right 127.5 feet to the north property line of North 20th Street, thence at an angle of 90 degrees —00" to the left 1,523.5 feet, thence at an angle of 90 degrees—00' to the left 483.4 feet; thence at an angle of 90 degrees—00' minutes to the right 396 feet; thence 90 degrees—00' to the left 142 feet to a point on the North property line of 19th Street and the East property line of 19th Avenue, thence 90 degrees—00' to the right 1055 feet to the west side of 20th Avenue, thence at an angle of 90 degrees to the

left along the West property line of 20th Avenue to the South side of the Tuscaloosa Road, thence East along the South side of the Tuscaloosa road to the intersection of the South side of 13th Street thence in a southeasterly direction along the south side of 13th Street to the West right of way line of the Birmingham Mineral Railroad, thence in a Southeasterly direction along said right of way to the South side of 11th Street, thence East along the south side of 11th Street to the West side of 13th Avenue, thence in a Southeasterly direction along the West side of 13th Avenue to a point of intersection with the North side of the West Lake Land Company's property, thence in a Southwesterly direction along the north property line of the West Lake Land Company's property to the extreme Northwest corner of the West Lake Land Company's property, thence at an angle of 72 degrees and 35 minutes to the left 778 feet, thence at an angle of 23 degrees and 12' to the left 673.9 feet, thence 124 degrees 41' to the right 94.4 feet, thence 22 degrees 47' to the right 104.3 feet thence 70 degrees 21' to the right 1148.3 feet, thence 9 degrees 45' to the left 271.3 feet to a point 760.8 feet south of the Northwest corner of the Southeast quarter of Section 8, Township 19, Range 4 West, thence South along West side of said Southeast one-fourth of Section 8, Township 19, Range 4 West, to the Southwest corner of the said one-fourth of Section 8, Township 19, Range 4 West, thence East along South side of Section 8, Township 19, Range 4 West, to the Northwest corner of the East half of Northeast fourth of Section 17, Township 19, Range 4 West, thence South along west side of East half of NE $\frac{1}{4}$ of Section 17, Township 19, Range 4 West, to the Southwest corner of said East half, thence East along South side to the Southeast corner of the Northeast quarter of Section 17, Township 19, Range 4 West, thence South along the East side of Section 17, Township 19, Range 4 West, to the Southeast corner of Section 17, Township 19, Range 4 West, thence in an Easterly direction along the South boundary of Section 16, Township 19, Range 4 West, 5,358 feet to the Southeast corner of Section 16, thence in a Northerly direction along the East boundary of Section 16, 5,330 feet to the Northeast corner of Section 16, Township 19, Range 4 West, thence in an Easterly direction along the South boundary of Section 10, 1160 feet to the South right-of-way line of the A. B. & C. Railroad, thence in an Easterly direction along said right-of-way 1,440 feet, thence at an angle of 90 degrees 00' to the left 1,000 feet to the intersection of the Eastern property line of Holbrook Avenue, and the South boundary line of Section 10, Township 19, Range 4 West, thence at an angle of 36 degrees —00' to the right 453.8 feet to the West right of way line of the Birmingham Mineral Railroad thence at an angle of 54 degrees 09' to the left along said right of way 435.5 feet, thence at an

angle of 10 degrees 51' to the left 1,954 feet, thence at an angle of 12 degrees 11' to the right 73.4 feet, thence at an angle of 93 degrees 15' to the left 150.2 feet to the Eastern property line of Holbrook Avenue, thence at an angle of 90 degrees 00' to the right 4,280 feet to a point on the East boundary of the Western half of the Southwest quarter of Section 2, Township 19, Range 4 West, thence in a Northerly direction along said boundary 2,400 feet to the point of beginning.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Denson	Howard	Pitts
Adcock	Desear	Hughes	Poole
Allen	Edmundson	Jeter	Ringer
Anderson	Edwards	Johnson	Rivers
Ashcraft	Fite	Luck	Simpson
Baldwin	Frey	McAdory	Smith
Bartlett	Golson	Martin	Starnes
Beebe	Goode	Matthews	Thompson
Burns	Goodwyn	Merrill	Tompkins
Byars	Green	Miller (Marengo)	Tunstall
Cannon	Grove	Miller (Sumter)	Vickers
Carter	Gullatt	Molette	Waddell
Christian	Guy	Monk	Ware
Cockre'l	Hawkins	Morrow	Webb
Cook	Hightower	Owens	Weldon
Darden	Hollis	Parish	Winn
Deloney			

—65

And the Bill:

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Guy	Langdon
Ashcraft	Denson	Harwood	Lawler
Baldwin	Desear	Hawkins	Lee
Bartlett	Edmundson	Hollis	McAdory
Beebe	Fite	Howard	Miller (Marengo)
Brunson	Goode	Howell	Miller (Sumter)
Burns	Goodwyn	Hubbard	Molette
Byars	Green	Hughes	Monk
Cannon	Grove	Jeter	Morrow
Cook	Gullatt	Johnson	Parish

Patterson	Reeder	Stephens	Ward (Geneva)
Pegues	Ringer	Thompson	Ward (Tuscaloosa)
Pitts	Rivers	Tompkins	Ware
Poole	Simpson	Tunstall	Webb
Powell	Smith	Vickers	Weldon
Quillin	Starnes	Waddell	Winn
Rankin			

—65

On motion of Mr. Goode all House Bills passed at the afternoon Session were ordered sent to the Senate without Engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 431. To create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS.

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment: By Mr. Williams:

S. 220. To amend Section 10288 of the Code of Alabama, 1923.

By Mr. Stanley:

S. 390. To amend Section 1 of an Act to amend Sections 3 and 6 of an Act entitled an Act to further provide for and regulate the payment of pensions to Confederate soldiers and sailors and their widows and to make necessary appropriations therefor. approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

By Mr. Stanley:

S. 280. To amend Section 3183 of the Code of 1923.

By Mr. Stanley:

S. 271. To amend Section 2984, Code 1923.

By Mr. Williams:

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

By Mr. Williams:

S. 240. To amend Section 10306 of the Code of Alabama, 1923.

By Mr. Williams:

S. 69. To amend Sections 10332 and 10333 of the Code of Alabama of 1923.

By Mr. Jackson: (With N. & P.):

S. 393. To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of the revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith.

With Notice and Proof thereto attached and herewith exhibited as follows:

LOCAL LEGISLATION

Notice is hereby given that the following proposed Local Act of the Legislature, affecting Barbour County, Alabama, will be introduced in the Legislature the coming session thereof to be held in June, 1927, for enactment by said Legislature into law. Said proposed act of the Legislature being in substance as follows, to-wit:

AN ACT

To establish a road law for Barbour County: To give the Board of Revenue of Barbour County legislative, judicial and executive powers, except as limited by the general laws of Alabama, in the construction, maintenance and improvements of public roads and bridges in said County: Authorize said Board of Revenue to promulgate rules and regulations in the matter of building, constructing, improving and maintaining the public roads and bridges: And giving such Board the right of eminent domain: To fix the requirements as to the working of roads and fixing per capita tax, and giving such Board the right to promulgate rules and regulations in regard thereto; Giving such Board the right to promulgate rules and regulations limiting and providing for the collection of a vehicle tax: Requiring the publication of such rules and regulations and making it unlawful for any one to violate any of the rules and regulations as to maintaining and working the public roads and bridges: As to the payment and collection of per capita road tax, and as to the payment and collection of vehicle tax so to be promulgated; and fixing the punishment for such violators as may be convicted; Authorizing the Board of Revenue to employ Clerk of the Board of Revenue, and fixing his salary and prescribing the duties of such Clerk: Regulating the regular meetings of the Board of Revenue: Providing that all officers of Barbour County who collect revenues pay the same over to the County Depository or Treasury and report thereon: Requiring the publication of semi-annual statements and fixing the method and manner thereof: Fixing the compensation of members of the Board of Revenue.

Be it enacted by the Legislature of Alabama:

Section 1: The Board of Revenue of Barbour County, Alabama, or other like governing body of said County, be and the same is hereby vested with full power and control of the public roads, bridges and ferries within said County, may establish new and change and discontinue old roads, bridges and ferries in such manner as they may deem best to render travel over the same as safe and convenient as practicable. And the said Board of Revenue, or other like governing body of said County, shall have and is hereby given full power and authority to promulgate rules and regulations for the building, working, maintenance and upkeep of said roads and bridges, and to this end is hereby given full power and authority to promulgate and ordain a per capita road tax in said County for road purposes, and a vehicle tax in said County for road and bridge purposes, and to this end said Board of Revenue, or other like governing body of said County, have and is hereby given legislative, judicial and executive powers, except as limited by the general laws of the State of Alabama, and to this end the Board of Revenue of Barbour County, or other like governing body of said County, be and the same is hereby declared to be a Court of unlimited jurisdiction and powers as to the construction, maintenance and improvement of the public roads and bridges of said County, except as limited and prohibited by the general laws of the State of Alabama.

Said Board of Revenue may establish, promulgate and enforce rules and regulations, make and enter into contracts as may be deemed necessary or advisable by such Board of Revenue, to build, construct, make, improve, maintain and keep up a good system of public roads and bridges and ferries in said County, and to regulate, promulgate and enforce rules and regulations as to the use of said roads, bridges and ferries, provided, however, that no contract for the construction or repair of any public road or bridge shall be made where the payment of the contract price shall extend over a period of more than ten years.

Section 2: The Board of Revenue of said County of Barbour is hereby given the right of eminent domain for the purpose of establishing and

changing the roads and bridges in said County and the procedure therefor shall be the same as is provided by the general laws of Alabama.

Section 3: That all women and all men under the age of eighteen and over the age of forty-five; all persons who have lost an arm or leg; and all persons who by nature or disease are rendered incapable of hard labor who shall secure a certificate of such incapacity from the County Board of Health shall be exempt from working on the public roads of said County, provided, if there shall be no County Board of Health the said certificate of such incapacity shall be secured from at least two reputable physicians.

Section 4: That all persons shall be liable for road duty or to work on the public roads and bridges of said County except those exempt by the preceding Section of this Act and those exempted by the general laws of Alabama.

Section 5: That the Board of Revenue shall have the right, in the event any contract is let for the building, repair, maintenance or upkeep of any road or bridge in the County, to exact a bond from the Contractor provided the contract exceeds the sum of One Hundred Dollars.

Section 6: That the convicts of said County of Barbour may in the discretion of the Board of Revenue be worked upon the public roads and bridges of said County under such rules and regulations as the Board of Revenue may designate and promulgate, not in conflict with the State laws, or said convicts may be turned over to the State Convict Department under the law now existing governing and controlling the same.

Section 7: That the Board of Revenue may levy and collect under such rules and regulations to be passed and adopted and promulgated by such Board of Revenue and within the limits herein provided and not contrary to the prohibitions of the general laws of the State of Alabama a per capita road tax and provide a method of collecting the same, such per capita road tax to be money compensation in lieu of work, the amount to be fixed by the board of revenue and not to exceed \$10 per annum for those liable for road duty in lieu of the labor required by law upon public roads, and may provide for the time and manner of payment of the same, provided, however, that no person liable or subject to road duty under this act can be made to work for more than ten days in any one year. The money arising from the per capita road tax shall be used exclusively for maintenance and improvements of the public roads and bridges of said County under the orders of the Board of Revenue; and provided further that said Board of Revenue shall provide by rules and regulations to be promulgated by said Board a method of collecting said per capita road tax and the compensation to the officer or agent charged with the duty of collecting the same, and the right and power to seek thru the proper channels of the Courts the conviction of any person failing to either work said roads, in lieu thereof to pay the per capita road tax.

Section 8: That the Board of Revenue of said County be and it is hereby given full power and authority to provide the method of collecting the vehicle tax that may be ordained and promulgated by said Board to compensate the officer or agent for making the collection thereof and to do all that is proper and necessary to bring about the conviction of persons violating the rules and regulations fixing said tax so to be promulgated by the Board of Revenue. Provided such vehicle tax shall not be imposed upon conveyance or vehicles used solely for the purpose of transporting agricultural products.

Section 9: Said Board of Revenue of Barbour County is hereby given full power and authority to change all of its rules and regulations within the limitations fixed herein and by the limitations fixed by the general laws of the State of Alabama from time to time as it may be proper and necessary.

Section 10: The Board of Revenue is charged with the duty of publishing in some newspaper published in Barbour County, Alabama, all of its rules and regulations that may be passed and adopted under the provisions hereunder, the same to become effective after publication therefor for not less than ten days, and all changes in or amendments to such rules and regulations shall likewise be published the same as the original.

Section 11: That it shall be unlawful for any person, firm or corporation to violate any rule, regulation or law which may be adopted or promulgated by the Board of Revenue of Barbour County, Alabama, under the authority conferred by this act, relating to the use, control, care, operation and maintenance of any public road or bridge or ferry in said County; or relating to the working, maintenance and up-keep of said roads or bridges or ferries in said County; or relating to the collection of the per capita tax so to be fixed and levied by said Board of Revenue; or the enforcement of the provisions requiring the working of the roads in lieu of payment of the per capita tax, and the collection and enforcement thereof of said vehicle tax that may be passed and adopted and promulgated by said Board of Revenue; and any person, firm or corporation violating any of the rules and regulations so adopted and promulgated by the Board of Revenue of Barbour County, Alabama, shall be deemed guilty of a misdemeanor and shall be upon conviction fined not more than One Hundred Dollars, and may also be sentenced to hard labor for the county for not more than six months, either or both, and each violation shall be and constitute a separate offense.

Section 12: That the Board of Revenue of said Barbour County shall have the right, power and authority to select and employ a Clerk of the Board of Revenue and fix his salary for a term of not longer than two years, said salary to be fixed in such amount as the Board of Revenue may see fit and proper, the same to be paid in monthly installments from warrants drawn on the general funds of the County. Said Clerk shall be the keeper of the records of the Board of Revenue and shall countersign all warrants and shall keep an accurate account of all the revenues collected, either direct to him or paid by any of the officers of the County to him or into the County treasury or depository; and to keep an accurate check on the financial condition of the County, monies on hand in the County depository and in reasonable expectancy; provided further that in the event no County depository is chosen under the existing law regulating the selection thereof, that the Clerk of the Board of Revenue may be designated by the Board of Revenue as Treasurer of the County to act as Clerk of the Board of Revenue and Treasurer of the County.

Section 13: That the Board of Revenue shall hold such regular meetings as the Board itself may determine are necessary, but not less than four regular meetings per annum, and the meetings, both regular and special, shall as near as is practicable be held alternating at the Court House of the County in Eufaula, Alabama, and at the Court House of the County in Clayton, Alabama. Said Clerk shall do and perform all other duties assigned to him by the Board of Revenue of said County.

Section 14: That all officers of Barbour County who collect revenues belonging to the County are hereby required to pay the same over monthly to the County depository, or the Treasurer of the County, as the case might be, and to file a statement at the time of the payment thereof to the County depository with the Board of Revenue, the same to be filed with the Clerk of the Board of Revenue.

Section 15: That the Board of Revenue shall publish semi-annual statements of the financial receipts and disbursements of monies belonging to the County and over which the Board of Revenue has power and jurisdiction. Said statements may be condensed, but to be in such form and sub-

stance as to intelligently inform the taxpayers of the County of the status of the County's financial affairs.

Section 16. That in lieu of all other compensation to be paid and allowed to the members of the Board of Revenue of Barbour County, each member of the Board shall be paid out of the funds of the County by warrants to be drawn by the President and countersigned by the Clerk of the Board of Revenue a monthly salary of Twenty-five dollars per month.

Section 17: That the President of the Board of Revenue may receive compensation in addition to that provided for herein, for his services as such President in such amount as the Board of Revenue may fix and order paid, proportionate to the service that he performs as such officer.

Section 18: Be it further enacted that if any section, item or provision herein enumerated shall be declared invalid or void for any reason, it shall in no wise affect the remaining provisions of this Act.

Section 19: That except so far as the same may be in conflict with this Act, the general laws now in force in the State of Alabama, with reference to public roads, highways and bridges shall be in force in Barbour County, Alabama and all general laws not in conflict herewith hereafter passed with reference to roads, highways and bridges by the Legislature, shall be in force and apply to Barbour County.

Section 20: That all laws or parts of laws, local or special, in conflict with the provisions of this act, be and the same are hereby repealed.

Section 21: This act shall take effect immediately upon its approval by the Governor.

STATE OF ALABAMA, Barbour County.

Before me, Lillian Tyson, a Notary Public, in and for said County and State, personally appeared J. K. Simmons, who being by me first duly sworn, deposes and says, that he is the Editor and Publisher of the Eufaula Daily Citizen, and that the notice of intention to apply for the passage of Local Act, a copy cut from the Eufaula Daily Citizen being hereto attached and made a part hereof as fully and completely as if set out herein fully, was published in the Eufaula Daily Citizen once a week for four consecutive weeks, the first publication having been made on the 21st day of May, 1927, and it was published thereafter once each week, making in all four consecutive weeks.

Affiant further states on oath that the said Eufaula Daily Citizen is a newspaper published in Barbour County, Alabama, the county which is to be affected by the Local Legislation incorporated in said proposed bill and said notice was given in accordance with the intent, purpose and requirement of Section 106 of the Constitution of Alabama 1901.

J. K. Simmons,
Sworn to and subscribed before me, this the 17th day of June, 1927.

Lillian Tyson,
Notary Public, Barbour County, Alabama.

Also:

By Mr. Stokes:

S. 427. A Bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama, so as to fix the debt limitation of all cities, towns, vil-

lages, and other municipal corporations of the State of Alabama, to set out the kinds of indebtedness not included in such limitations, and to provide for the levy and collection of a tax in every City, town, village, or other municipal corporation, in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(A) All cities, towns, villages, and other municipal corporations are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding ten per centum of the assessed valuation of the property therein, as the same is assessed for State taxation. There shall not be included in the above limitation of indebtedness the following classes of indebtedness, to-wit: (a) temporary loans for current expenses to be paid within one year, made in anticipation of the collection of taxes for the current year, and not exceeding one-fourth of the general revenues for the preceding year; (b) indebtedness already or hereafter incurred for acquiring, providing, or constructing water works, electric light and gas plants; (c) indebtedness already or hereafter incurred for sewer, street, sidewalk and other improvements whether of a like or of any different kind, to the extent that the cost thereof has been or is proposed to be assessed against the property benefited thereby; and (d) indebtedness incurred prior to September 1st, 1927, which, at the time it was incurred, was not included within the then existing constitutional limitation, and any obligations to be incurred in refunding such indebtedness.

In ascertaining the amount of indebtedness subject to this limitation there shall be deducted from the total amount of such indebtedness, sinking funds on hand and applicable solely to the payment of indebtedness subject to said limitation.

(b) Every city, town, village, or other municipal corporation, shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law, a tax on the property situated therein sufficient to pay the principal and interest falling due in that year or falling due in any prior year and remaining unpaid upon all bonds issued hereafter, including refunding bonds hereafter issued (but such refunding bonds shall mature over a period of not less than fifteen years in such installments

as may be provided by law) and the officers of such now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such tax in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any such municipal corporation from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such municipal corporation or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional Amendments.

Also:

By Mr. Stokes:

S. 426. A Bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the Second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for state taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition; and to provide for the levy and collection of tax in every county in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for state taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Every county in this state shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law a tax on the property situated therein sufficient to pay the principal and interest falling due in that year, or falling due in any prior year, and remaining unpaid, upon all bonds issued hereafter, including refunding bonds hereafter issued (but such refunding bonds shall mature over a period of not less than fifteen years in such installments as may be provided by law) and the officers of such county now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such tax in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any county from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such county or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional amendments.

By Mr. Williams:

S. 247. To amend Section 6739 of the Code of Alabama, 1923.

By Mr. Williams:

S. 210. To provide for the expenses of certain members of the judiciary of Alabama.

By Mr. Williams:

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

By Mr. Williams:

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Appropriations: S. 220; S. 280, S. 238, S. 240; S. 69; S. 247; S. 210.

Pensions: S. 390.

Soldier's Home, S. 271.

Revision of Laws, S. 393.

Judiciary, S. 70; S. 221.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 417. To provide for the establishment, change and discontinuance of public roads in Bibb County, Alabama.

H. 638. To establish an additional or branch court house at Phenix City, in Russell County, Alabama; to divide the county into Northern and Southern divisions for such circuit court and to fix the boundary line between the two: To provide for the

manner and form of the process for causes to be heard in the different divisions; to require certain officers of the county to keep an office at such branch court house; to fix the duties and compensation for such officers; to provide for grand and petit juries; to fix the jurisdiction and venue of each division of both civil and criminal cases, and to provide for the removal of such cases from one division to the other; to provide the method of appeal from inferior courts to the respective divisions of the Circuit Court; to fix requirements as to the confinement of prisoners in the county jail; to provide for the jury and non-jury terms of circuit court in said divisions; to fix the method of determining said terms: To provide for regular and special meetings of the Board of Revenue of said County in each division; to declare and fix the duties of the Judge of Probate with reference to said branch office and the two divisions; to provide for the penalty for failure to comply with his duty and to fix compensation therefor; to provide for the holding of county court in each division and the jurisdiction of cases as to the said divisions; to provide for the appointment of a deputy clerk and fix his compensation: To require Phenix City, in Russell County, Alabama, to furnish quarters for the said county officers, safe-keeping of the records thereof, and for the furnishing of said offices with furniture, fixtures, equipment, etc.: To provide for the furnishing of books and stationery by the County; to fix the method and time by which said Act shall be and be declared to be operate and effective, and the time within which the first term of the circuit court shall be held in said Northern division; to fix the duties and provide the compensation of the tax collector and tax assessor with reference to said branch or additional court house and division.

H. 691. To provide a fund for the support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

H. 693. To alter, re-arrange, and fix the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

H. 351. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

H. 692. Ratifying, confirming and making effective the Act approved September 29th, 1919, as of the date of its approval, creating as an item of court costs in circuits of two hundred thousand or more population, a "library tax" of \$2.00 and providing for its payment and collection; ratifying, confirming and making effective, as the date of its approval, the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of said Act certain classes of cases: ratifying, and confirming the payment, receipt and collection by the clerk of the circuit court of all sums that have been paid as and for "library tax" costs under the aforesaid Act approved September 19th, 1919.

H. 219. To amend Section 8588 of the Code of Alabama.

H. 743. To fix and regulate the compensation of the registers of the circuit court in counties in the State having more than two hundred thousand population, according to the last or any succeeding Federal census, and to provide for the payment of such compensation.

H. 636. For the relief of the Decatur Cornice & Roofing Company, Inc., a corporation, and to authorize, empower and require the Board of Revenue of Morgan County, Alabama, to pay to the said company the sum of two hundred forty-nine and 38/100 dollars (\$249.38) for the purpose of refunding to the said company the said sum, which it erroneously overpaid to the County of Morgan, on the taxes on its personal property for the year 1919, and to reimburse the said company in the said sum so overpaid.

H. 907. To license and to regulate the business of making loans in sums of one hundred dollars or less, secured or unsecured in all counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation thereof; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

H. 868. To authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, wocopep or any substitute therefor, not to exceed three cents per gallon; to authorize such Court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to make provision for the distribution of said tax; to prohibit any

incorporated city or town in said County from levying a municipal tax on gasoline, woco-pep or any substitute therefor; to repeal the municipal taxes on said gasoline, woco-pep or any substitute therefor, which may now be levied by any incorporated city or town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate Members and to abolish the Commissioners Court of Etowah County.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the Resolution:

H. J. R. 66. Relative to giving the assent of the Legislature of Alabama to the grants of money authorized by an act of Congress entitled: "An Act to authorize the more complete endowment of agricultural experiment stations, and for other purposes."

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 747. To relieve the tax assessor of Chambers County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessed lists.

H. 870. To authorize the trustee of and for the sixteenth section in Township 17 south of range 5, west of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in Equity, after said Court

has ascertained the substantial equality of the respective monetary values of each tract: and provided further that the existing lessees of said Sixteenth section consent in writing to surrender all their rights, title and interests, as lessees or otherwise, in and to said Sixteenth section, or consent to take in substitution for their existing rights as lessee a lease to such other or different land in said Township; and to substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

H. 324. To authorize and empower the board of revenue of Tuscaloosa County to use the portion, or so much thereof as may be necessary, of the funds derived from the excise tax on gasoline, or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, partnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to Tuscaloosa County under the provisions of Section 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying interest on, and establishing a sinking fund for the retirement of, any bonds of Tuscaloosa County which have been sold, or which hereafter may be sold to provide funds for paving, or aiding in the paving, of any public roads in Tuscaloosa County which are, or hereafter may be, designated as State Aid roads by the State Highway Commission of Alabama, and which the State Highway Commission with State funds, or State and Federal aid funds, has improved and has let contracts for paving, or which it may hereafter improve and let contracts for paving.

H. 672. To repeal an act entitled: An Act to provide for the election of a county superintendent of Education for Washington County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, to provide for the election of his successor in office, approved September 14, 1923.

H. 728. To amend Section 4 of an Act entitled an act "To establish an Inferior Court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within or partly within, the City of Birmingham, Alabama, except Precincts 45, 52, and 29 in lieu of all Justices of the peace in said precincts and in lieu of all notaries public with powers of justices of the peace, and in lieu of all

other inferior courts created in lieu of justices of the peace heretofore created in said territory, to define the jurisdiction and power of said court, the judge, clerks and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said Judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." Approved July 12, 1915.

H. 816. To alter or rearrange the boundary lines of the Town of Thomasville, Alabama, so as to include in the corporate limits of said town certain territory not now included, and to exclude from the Town of Thomasville, Alabama, certain territory now included in the corporate limits of said town.

H. 727. To amend an act to amend Section 3 of an act entitled an act "To establish an Inferior Court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within, or partly within, the city of Birmingham, Alabama, except Precincts 45, 52 and 29, in lieu of all justices of the peace in said precincts, and in lieu of all notaries public, with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory; to define the jurisdiction and powers of said court, the judge, clerks, and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." approved July 12, 1915.

H. 721. To authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it, situated on the Warrior River in said City and State.

H. 878. To repeal the Act entitled "An Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

H. 788. To amend an Act entitled "An Act to provide for the working, repairing, maintaining and improving the public roads of Monroe County, Alabama; to prescribe rules and regulations for the same; to provide a per capita road tax in lieu of labor on the public roads of Monroe County, Alabama, and for the collection of a license tax for vehicles and motor driven trucks providing for superintendents of the public roads of Monroe County; providing for the duties of members of the board of revenue with reference to public roads and bridges of Monroe County; prescribing penalties for the violation of the same," approved August 1st, 1923, by amending Sections 5, 9, 10, 11, and 12 thereof to read as hereinafter set out, and to repeal Sections 14, 15, 16, 17, 18, 19, and 20 thereof.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the Resolution :

H. J. R. 155, Relative to appointment of a Joint Committee of the two Houses to study the School Code as revised, and make report to each House.

And the President and Presiding Officer of the Senate has appointed as a Committee on part of the Senate Messrs. Mitchell and Ellis of Shelby.

And returns same herewith to the House.

J. E. Speight,
Secretary.

APPOINTMENT OF JOINT COMMITTEE.

The Speaker of the House, in accordance with H. J. R. 155, the title to which it set out in the above and foregoing Message from the Senate, appointed as a Committee on part of the House Messrs: Ward of Tuscaloosa, Pegues and Cook.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bill hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 10:45 A. M., on Aug. 9, 1927.

H. 626.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Deloney the House, under a Joint Resolution heretofore adopted, adjourned, until ten o'clock A. M. Thursday August 11th, 1927.

FORTY-SECOND DAY

House of Representatives,
Montgomery, Alabama.
Thursday, August 11, 1927.

The House met pursuant to adjournment.

PRAYER

The Session was opened with prayer by Rev. Dr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Green	Matthews	Sanders (Conecuh)
Ashcraft	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace		

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE
JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 41st legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 41st legislative day was approved.

RECONSIDERATION

On motion of Mr. Long (Mr. Goode, presiding) the vote by which the Bill:

H. 818. To propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour County to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Was lost on yesterday was reconsidered, and on motion of Mr. Long (Mr. Goode, presiding) the Bill:

H. 818. To propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour Counties to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Was restored to its original place on the Calendar of the House.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolutions:

H. 681. To amend Section 1936 of the Code of 1923.

Also:

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

Also:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal Census or any such census that may be taken hereafter; to declare who are dependent, neglected or

delinquent children, to declare that such children shall be wards of the state, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties Juvenile and Domestic Relations Courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an Advisory Board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

Also:

H. 417. To provide for the establishment, change and discontinuance of public roads in Bibb County, Alabama.

Also:

H. 638. To establish an additional or branch court house at Phenix City, in Russell County, Alabama; to divide the county into Northern and Southern divisions for such circuit court and to fix the boundary line between the two; to provide for the manner and form of the process for causes to be heard in the different divisions; to require certain officers of the county to

keep an office at such branch court house; to fix the duties and compensation for such officers; to provide for grand and petit juries; to fix the jurisdiction and venue of each division of both civil and criminal cases, and to provide for the removal of such cases from one division to the other; to provide the method of appeal from inferior courts to the respective divisions of the Circuit Court; to fix requirements as to the confinement of prisoners in the county jail; to provide for the jury and nonjury terms of Circuit Court in said divisions; to fix the method of determining said terms; to provide for regular and special meetings of the board of revenue of said county in each division; to declare and fix the duties of the judge of probate with reference to said branch office and the two divisions; to provide for the penalty for failure to comply with his duty and to fix compensation therefor; to provide for the holding of county court in each division and the jurisdiction of cases as to the said divisions; to provide for the appointment of a deputy clerk and fix his compensation: To require Phenix City, in Russell County, Alabama, to furnish quarters for the said county officers, safe-keeping of the records thereof, and for the furnishing of said offices with furniture, fixtures, equipment, etc.: To provide for the furnishing of books and stationery by the county; to fix the method and time by which said Act shall be and be declared to be operative and effective, and the time within which the first term of the circuit court shall be held in said Northern division; to fix the duties and provide the compensation of the tax collector and tax assessor with reference to said branch or additional court house and division.

Also:

H. 691. To provide a fund for the support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Also:

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

Also:

H. 693. To alter, re-arrange, and fix the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

Also:

H. 351. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

Also:

H. 692. Ratifying, confirming and making effective the act approved September 29th, 1919, as of the date of its approval, creating as an item of court costs in Circuits of two hundred thousand or more population, a "Library Tax" of \$2.00 and providing for its payment and collection: Ratifying, confirming and making effective, as the date of its approval, the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of said Act certain classes of cases: Ratifying, and confirming the payment, receipt and collection by the Clerk of the Circuit Court of all sums that have been paid as and for "Library Tax" costs under the aforesaid Act approved September 19th, 1919:

Also:

H. 219. To amend Section 8588 of the Code of Alabama.

Also:

H. 868. To authorize the Court of County Commissioners, Board of Revenue or other like governing body of Jackson County, Alabama, to levy and collect an excise tax on gasoline, woco-pep or any substitute therefor, not to exceed three cents per gallon; to authorize such Court of County Commissioners, Board of Revenue or other like governing body of said County, to provide the necessary machinery for the collection of said tax; to make provision for the distribution of said tax; to prohibit any incorporated city or town in said County from levying a municipal tax on gasoline, woco-pep or any substitute therefor; to repeal the municipal taxes on said gasoline, woco-pep or any substitute therefor, which may now be levied by any incorporated city or town in said County; to provide for the use of said excise tax, and to provide a penalty for the failure to pay said tax in accordance with the requirements of the Court of County Commissioners, Board of Revenue or other like governing body of said County.

Also:

H. 636. For the relief of the Decatur Cornice & Roofing Company, Inc., a corporation, and to authorize, empower and require the Board of Revenue of Morgan County, Alabama, to pay to the said company the sum of two hundred forty-nine and 38/100 dollars (\$249.38) for the purpose of refunding to the said company the said sum, which it erroneously overpaid to the County of Morgan, on the taxes on its personal property for the year 1919, and to reimburse the said company in the said sum so overpaid.

Also:

H. 905. To establish a Board of Revenue for Etowah County; to prescribe its jurisdiction and powers; to fix the compensation and provide for the election of its President and Associate

Members and to abolish the Commissioners Court of Etowah County.

Also:

H. 816. To alter or rearrange the boundary lines of the Town of Thomasville, Alabama, so as to include in the corporate limits of said town certain territory not now included, and to exclude from the Town of Thomasville, Alabama, certain territory now included in the corporate limits of said town.

Also:

H. 870. To authorize the trustee of and for the Sixteenth Section in Township 17 South of Range 5, West of the Huntsville Meridian in Jefferson County, Alabama, to sell said Sixteenth Section and to accept in payment therefor other or different land, of equal monetary value, in said Township; provided, first, the sale negotiated by said trustee is confirmed by the Circuit Court of Jefferson County, Alabama, in equity, after said Court has ascertained the substantial equality of the respective monetary values of each tract; and provided further that the existing lessees of said Sixteenth Section consent in writing to surrender all their rights, title and interests, as lessees or otherwise, in and to said Sixteenth Section, or consent to take in substitution for their existing rights as lessees a lease to such other or different land in said Township; and to substitute, as the corpus of the trust estate, under said trustee, such other or different land as is acquired by said trustee in exchange for said Sixteenth Section.

Also:

H. 878. To repeal the Act entitled "An Act to regulate the practice of the Thirteenth Judicial Circuit in Mobile County."

Also:

H. 788. To amend an Act entitled "An Act to provide for the working, repairing, maintaining and improving the public roads of Monroe County, Alabama; to prescribe rules and regulations for the same; to provide a per capita road tax in lieu of labor on the public roads of Monroe County, Alabama, and for the collection of a license tax for vehicles and motor driven trucks providing for superintendents of the public roads of Monroe County; providing for the duties of members of the board of revenue with reference to public roads and bridges of Monroe County; prescribing penalties for the violation of the same," approved August 1st, 1923, by amending Sections 5, 9, 10, 11, and 12 thereof to read as hereinafter set out, and to repeal Sections 14, 15, 16, 17, 18, 19, and 20 thereof.

Also:

H. 747. To relieve the tax assessor of Chambers County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats,

the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessed lists.

Also:

H. 728. To amend Section 4 of an Act entitled an Act "To establish an inferior court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within, or partly within, the City of Birmingham, Alabama, except Precincts 45, 52 and 29 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory, to define the jurisdiction and power of said court, the judge, clerks and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." Approved July 12, 1915.

Also:

H. 727. To amend an Act to amend Section 3 of an Act entitled an Act "To establish an inferior court in Precincts 21, 37, 10, 34, 42 and 46, in Jefferson County, Alabama, and in all other precincts lying within, or partly within, the City of Birmingham, Alabama, except Precincts 45, 42 and 29, in lieu of all justices of the peace in said precincts, and in lieu of all notaries public, with powers of justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory; to define the jurisdiction and powers of said court, the judge, clerks, and other officers thereof; to define the jurisdiction thereof, provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries." Approved July 12, 1915.

Also:

H. 324. To authorize and empower the board of revenue of Tuscaloosa County to use the portion, or so much thereof as may be necessary, of the funds derived from the excise tax on gasoline, or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, partnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to Tuscaloosa County under the provisions of Section 83 of the Act of the Legislature of Ala-

bama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying interest on, and establishing a sinking fund for the retirement of, any bonds of Tuscaloosa County which have been sold, or which hereafter may be sold to provide funds for paving, or aiding in the paving, of any public road in Tuscaloosa County which are, or hereafter may be, designated as State Aid Roads by the State Highway Commission of Alabama, and which the State Highway Commission with State funds, or State and Federal Aid funds, has improved and has let contracts for paving, or which it may hereafter improve and let contracts for paving.

Also:

H. 907. To license and to regulate the business of making loans in sums of One Hundred Dollars or less, secured or unsecured in all counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation thereof; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

Also:

H. 743. To fix and regulate the compensation of the registers of the circuit court in counties in the State having more than two hundred thousand population, according to the last or any succeeding Federal census, and to provide for the payment of such compensation.

Also:

H. J. R. 66. Giving assent of the Legislature of the State of Alabama to the purposes of the grants made in an Act passed by the Congress of the United States February 24, 1925, and empowering the Trustees of the Alabama Polytechnic Institute to receive and apply them for the benefit of the agricultural experiment stations.

Also:

H. 721. To authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it, situated on the Warrior River in said City and State.

Also:

H. 672. To repeal an act entitled: An act to provide for the election of a county superintendent of Education for Washington County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications,

powers and duties, to provide for the election of his successor in office, approved September 14, 1923.

Also:

H. J. R. 155. Providing for the appointment of a committee to consist of three members of the House and two members of the Senate to study the School Code and to make recommendations to both Houses for necessary changes.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 414. To repeal Section 2 of an Act entitled "An Act to authorize and require the Commissioners Court of Lamar County to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the Clerk of the Circuit Court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments and fixing the amount of said witness fees" which said act was approved on Dec. 3, 1896.

S. 381. To fix the compensation of the Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety five thousand people according to the last United States Census, or any such census which may hereafter be taken.

S. 404. To alter or re-arrange the boundary lines of the City of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory; beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress Street with the north bank of the Tennessee River thence westwardly with the north bank of the Tennessee River to the east

bank of Cypress Creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road bridge over Cypress Creek; thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street the present corporation line to the point of beginning.

S. 377. To require the boards of revenue and road commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as road engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict with this Act.

S. 411. To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama.

S. 379. To further provide for construction and maintenance of the public roads and bridges of the county of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said county; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said County to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this Act, all of which under directions of the commissioner's court of said County; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date of this Act to take effect."

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges, and to authorize courts of county commissioners, boards of revenue, or other like governing bodies of the several counties of Alabama, having a population of not less than ninety thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to issue new interest bearing warrants, at the same or a less rate of interest, in lieu of the warrants, the

time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

S. 378. To repeal An Act entitled An Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act", approved September 28th, 1923.

S. 416. To amend Sections 1 and repeal Sections 2, 3 and 4 of an Act, entitled an Act, "To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry County, Alabama, since the first day of January 1913 and prior to the first day of August 1919, to be registered and paid out of the fine and forfeiture fund of said county," approved August 16, 1919.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present; signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

RECOMMITTAL OF BILL

On motion of Mr. Christian the bill:

S. 271. To amend Section 2984, Code of 1923.

Was recommitted to the Standing Committee on Appropriations.

BILL INDEFINITELY POSTPONED

On motion of Mr. Simpson the bill:

H. 527. To amend Section 7331 of the Code of Alabama, 1923.

Was indefinitely postponed.

RECOMMITTAL OF BILL

On motion of Mr. Morrow the Bill:

H. 1037. To fix the compensation of circuit clerks of all counties of the State of Alabama having a population of more than two hundred and fifty thousand according to the last or any subsequent Federal Census.

Was recommitted to the Standing Committee on Local Legislation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and sends same herewith to the House without engrossment:

By Mr. Nixon (With N. & P.):

S. 384. To create and establish the Court of Common Pleas of Calhoun county; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court; to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED BILL

Notice is hereby given that a bill in the following form will be presented to the Legislature of Alabama at the 1927 session thereof, when it again convenes and that application will be made to the Legislature for the passage of such bill, to-wit:

A Bill to be Entitled An Act:

To create and establish the Court of Common Pleas of Calhoun county; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court, to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established in and for the County of Calhoun, State of Alabama, a court, which shall be known as and called "Court of Common Pleas of Calhoun County." which said court is hereby invested with and shall have and exercise in said County final jurisdiction of any misdemeanor committed in said county, concurrent in such misdemeanor cases with the jurisdiction now conferred by law upon the Circuit Court, except as herein otherwise provided, and said court shall

have preliminary jurisdiction in all felony cases committed in the County of Calhoun that is now conferred upon the County Court and Justices of the Peace. Said court, except as in this act otherwise provided, in exercising the jurisdiction and powers by this act conferred, shall in all criminal cases conform to and be governed by the rules of practice and procedure, and shall have the same authority as now conferred by law upon the County Courts of this State; provided that the Judge of this court shall have the authority to adopt such rules of practice and procedure not inconsistent with this act as in his opinion is necessary for the proper dispatch of the business of the court. In all civil cases said court shall have and exercise in Precincts 15 and 20 of Calhoun County all the authority, jurisdiction, and powers which are now conferred by law upon Justices of the Peace, or which have been heretofore conferred upon the Anniston Inferior Court. Said Court of Common Pleas of Calhoun County shall as herein provided be the successor of the Calhoun County Court and the Anniston Inferior Court, which said Calhoun County Court and Anniston Inferior Court shall cease to exist upon the institution of the Court of Common Pleas of Calhoun County, and all causes pending in said courts, shall thereby be transferred to such Court of Common Pleas of Calhoun County, and the dockets, official papers and records of said courts shall be delivered to the Court of Common Pleas of Calhoun County, and shall be proceeded upon as if originally instituted in such Court of Common Pleas.

Section 2. That in addition to the foregoing, the said Court of Common Pleas shall have and exercise original jurisdiction in all "Non-support" cases arising in said County under Chapter 157, of the Code of Alabama of 1923. In exercising said jurisdiction the court shall conform to and be governed by the provisions, rules and regulations set out in said chapter.

Section 3. The Judge of the Anniston Inferior Court shall be and become the Judge of the Court of Common Pleas of Calhoun County, and shall hold such office until the expiration of his present term as Judge of the Anniston Inferior Court, and until his successor is elected and qualified. His successor shall take office on January 1st, 1931, and shall be elected by the qualified voters of Calhoun County at the general election held for State and County officers in the year 1930, and at the general election every six years thereafter. The Judge of the said Court of Common Pleas shall have been a resident of Calhoun County for at least one year next preceding his election or appointment, and shall be at least twenty-five years of age, and shall within the State of Alabama have been admitted to the practice of law. The term of office of said Judge, except as otherwise provided, shall be for a period of six years, and until his successor is elected and qualified. All vacancies in the office of judge of said court shall be filled by appointment of the Governor, and the person so appointed shall hold his office as provided by the Constitution. It shall be illegal for the judge to practice law in any manner whatever in said court, but he may practice in civil cases in the other courts of the County and State, provided that the matters are not connected in any way with the said Court of Common Pleas.

Section 4. The Judge of said court shall receive a salary of three thousand dollars per annum, payable monthly out of the County Treasury, upon his warrant drawn upon the County Treasurer. The judge of said court, before entering upon the duties of his office, shall take the oath of office, in form required by law to be taken by the Judges of the Circuit Courts of Alabama, and may be removed from office for the causes and in the manner now provided by law for the Circuit Judges of this State.

Section 5. The Judge of said court shall give a bond in the penal sum of two thousand dollars, payable to the County of Calhoun, and conditioned

to faithfully discharge the duties of his office, which said bond shall be approved by, and filed in the office of the Judge of Probate of said county, and also conditioned to pay over all money to the proper officers or persons to whom it is payable and to faithfully account for money coming into his hands by virtue of his office. The judge of said court shall be authorized to administer oaths. He shall issue all process of said court, keep a docket of the proceedings of said court, both civil and criminal, and certify all appeals and certioraries. All judgments and orders of said court shall be signed by him. The fees and costs now allowed by law in civil cases to Justices of the Peace, Constables and Sheriffs for services in the Justice of the Peace Courts shall be taxed and collected as now provided by law in each civil case. In addition thereto, the Judge in civil cases shall be authorized to collect for the use of the County in each case docketed by him a trial fee of one dollar. In all criminal cases the fees and costs now authorized by law to be taxed in the County Courts of this State including clerks' fees, except as herein stated, shall be taxed and collected in each criminal case tried or docketed in said court. The fees accruing to Sheriffs, Constables and witnesses, when collected, shall be paid direct to those entitled to receive same by the Judge of said court, and all other fees and costs he shall pay over to the County Treasury on the first Monday of each month.

Section 6. The Constable of Precinct 15 and the Sheriff of the County shall be the officers of said court, and shall execute all processes from said court and make the due return thereof, and all processes of whatever kind or nature issued out of said court shall be addressed to any lawful officer of Calhoun County. The sheriff is charged with the duty of serving all criminal processes. He shall be required to attend, in person or by deputy, on said court on the regular trial day of criminal cases, for which he shall be paid the sum of two dollars as now provided by law.

Section 7. That in the event of sickness or unavoidable absence of the Judge of said court, the Judge of the Circuit Court of Calhoun County shall appoint a special Judge to hold court during the disqualification or absence of the regular Judge. The compensation herein provided for the regular Judge shall be paid to the special Judge for the period during which he shall sit, in lieu of payment to the regular Judge. The said Circuit Judge shall be the Judge of all disqualifications or unavoidable absences of the Judge of the Court of Common Pleas, and shall in each instance certify the same, which certificate shall be spread upon the minutes or record of the Court of Common Pleas.

Section 8. It shall be the duty of the Deputy Solicitor for Calhoun County to prosecute in criminal cases in said court, and the same Solicitor's fee shall be taxed in misdemeanor cases in said court, and in the same manner, as is taxed for Circuit Solicitors in similar cases in the Circuit Courts of this State. All County Solicitor's fees, when collected, shall be paid into the County Treasury as other costs.

Section 9. It shall be the duty of the Board of Revenue of Calhoun County to provide a proper place for holding said court and to provide for the comforts and necessary accommodation therefor, and to provide said court with all necessary blanks, stationery, dockets, books, postage and other office materials that may be used and needed by said court.

Section 10. The rules now applying to the recording of judgments in the Justice of the Peace Courts, and the liens thereof, shall apply to the judgments rendered in the said Court of Common Pleas.

Section 11. The rules now governing appeals and certioraries from the Justice of the Peace Courts, except as herein stated, shall apply to appeals and certioraries from the Court of Common Pleas hereby created. If the Judge of said Court of Common Pleas is satisfied that the applicant is unable to give bond, and is further satisfied in his discretion that an appeal shall lie, he shall grant the appeal, and certify the papers to the Circuit

Court, but there shall be no supersedeas. It is further provided that all parties against whom judgments have been rendered in the Court of Common Pleas shall have ten days in which to effect appeals.

Section 12. No judgment by default shall be rendered prior to twelve o'clock noon. Upon rendition of a judgment by default the Judge of said court shall ascertain as nearly as may be the post office address of the person against whom judgment is rendered; and shall immediately mail to said person a postal card, giving such person notice that judgment was rendered against him on said date, giving the amount of judgment and costs, and the name of the parties, and further notifying said person that his right to have said judgment set aside will expire within five days. Upon application being made within five days of the rendition of said judgment, the Judge may in his discretion, for good cause shown, set aside such judgment by default.

Section 13. All process of said court where no time is otherwise fixed shall be returnable at ten a. m. of the return day.

Section 14. It shall be the duty of the Board of Revenue of Calhoun County to audit the dockets and records of the Judge of said court whenever they deem it advisable to do so. In every case where the Judge of the court fails to use proper diligence in issuing process for the collection of costs accruing to the County, such costs shall be paid by the Judge to Calhoun County, or shall be deducted from his salary as said Judge. In every case where the Constable or Sheriff has failed to collect costs accruing to the County, which could have been collected by the exercise of due diligence, said County shall have a right of action against said Constable or Sheriff and their bondsmen, for all such costs.

Section 15. There shall be no Justices of the Peace or Notaries Public with power of justice of the peace, elected or appointed for Precincts 15 and 20 of Calhoun County, and the office of Justice of the Peace for said Precincts is hereby abolished.

Section 16. Should any section or provision of this act be declared void or unconstitutional it shall not effect or destroy the validity or constitutionality of any other section or provision therein, which is not of itself void or unconstitutional.

Section 17. All laws, local or general, in conflict with the provisions of this act are, in so far as they conflict with the provisions of this act, hereby repealed.

Section 18. This act shall take effect from and after January 1st, 1928.

STATE OF ALABAMA, County of Calhoun.

Before me, Clara B. Wright, Notary Public in and for said state and county, personally appeared Chas. S. Leyden, Business Manager of The Anniston Star, a daily newspaper published at Anniston in said state and county, who being duly sworn, deposes and says that the attached notice, relative to a proposed bill to create and establish the Court of Common Pleas of Calhoun County, was published in The Anniston Star in the issues of May 13, 20, 27 and June 3, 1927.

Chas. S. Leyden,

Sworn to and subscribed before me this the 9th day of June, 1927.

Clara B. Wright,
Notary Public.

(Seal)

By Mr. Fite:

S. 499. For the relief of county treasurers of counties, which counties constitute a judicial circuit, having five or more circuit

judges; who have erroneously paid monies to assistant solicitors under the Act approved August 22, 1923.

By Mr. Fite:

S. 498. To amend an Act approved September 18, 1923, and entitled "An Act to provide and create a commission form of municipal government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand or less than fifty thousand people according to the last Federal census, or any such census which may hereafter be taken; to regulate the selection and election of commissioners and their terms of office, to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government.

By Mr. Young (with Notice and Proof):

S. 367. For the relief of E. R. Harris, of Sulligent, Alabama, and to authorize and require the State Auditor to draw his warrant on the State Treasurer in favor of E. R. Harris for the sum of Two Hundred (\$200.00) Dollars, and to require the State Treasurer to pay such warrant, and to appropriate the sum of Two Hundred (\$200.00) Dollars for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
Lamar County. }

Notice is hereby given that a bill will be introduced in the present Legislature of the State of Alabama, providing for the payment of Two Hundred (\$200.00) Dollars out of the State Treasury to E. R. Harris, of Sulligent, Alabama, to repay him for moneys paid by him for State license as a wholesale lumber dealer for the years 1923 and 1924, he having paid said amount for State licenses for said years, and it having developed later that he was not liable for or subject to such license, and to appropriate the money for the payment of said amount of Two Hundred (\$200.00) Dollars.

This May 23rd, 1927.

E. R. Harris,
Sulligent, Alabama.

The State of Alabama, }
Lamar County. }

Before me, the undersigned, J. C. Milner, a Notary Public in and for the above named State and County, this day personally appeared K. T. Mills, who being by me first duly sworn, on his oath, deposes and says that he is the editor and publisher of Lamar Democrat, a newspaper published in Vernon, Lamar County, Alabama; affiant further states on his oath that the above attached notice has been published in said Lamar Democrat for four consecutive weeks, that is to say it was published in the issues of May the 25th, 1927; June the first, 1927; June the 8th, 1927, and

June the 15th, 1927, making it be published for four consecutive weeks in said paper before the making of this affidavit.

K. T. Mills,
Editor and Publisher of said Lamar Democrat, a newspaper published
in Vernon, Alabama.

Sworn to and subscribed before me this July the 6th, 1927.

J. C. Milner,
Notary Public, Lamar County, Alabama.

By Mr. Fite:

S. 358. To regulate appeals by and in behalf of counties in this State, having according to the last or any subsequent Federal census two hundred thousand inhabitants or more.

By Mr. Cowan:

S. 494. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

By Mr. Craft:

S. 511. To amend the caption and the body of an Act entitled "An Act" to enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920 or any subsequent Federal census; to require all cities having a population over 45,000 and less than 100,000, according to the Federal census of 1920, or any subsequent Federal census, which are located in counties having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920, or any subsequent Federal census, to pay one-half the compensation of such humane officers; and to require said counties to pay one-half the compensation of such humane officers; to require said counties and cities to furnish an automobile to such humane officers and to pay for its upkeep and the fuel used; to repeal all conflicting laws.

By Mr. Ellis of Dallas (With N. & P.):

S. 407. To amend Section 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said

judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following amendment to the Inferior Court law of Dallas County will be offered for passage by the Legislature of Alabama at its session in June, 1927.

A BILL

To be entitled an Act to amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to defend the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 5 of said Act be amended so as to read as follows:

Section 5. Be it further Enacted that the judge of said Court shall receive a salary of eighteen hundred dollars per annum, payable monthly out of the Inferior Court fund upon warrant drawn upon the court depository by the Probate Judge of Dallas County, Alabama. In the event there is not sufficient money in said fund to pay the salary of the judge within any particular month, the judge shall be entitled to draw out of said fund in any month that sufficient funds are in said Inferior Court fund any back salary that may be due, provided, however, that no salary shall be paid any judge after his term of office has expired, unless there be a sufficient amount of money in said Inferior Court fund at the time of the expiration of his office. Provided, that the Probate Judge of Dallas County, Alabama, is hereby empowered to cover from said Inferior Court Fund into the general treasury of said county at the end of each calendar year, any sums of money to the credit of said Inferior Court fund at such time in excess of one thousand dollars. Provided fur-

ther, that the Probate Judge shall be entitled to receive for his compensation for receiving, paying out and accounting for said funds, two and one half per centum commissions on the funds of said court.

Section 2. Be it further enacted. That section 14 of said Act be amended so as to read as follows:

Section 14. That on the first Monday of each month the Probate Judge of said County shall pay to the Sheriff of said county the sum of fifty dollars for services rendered said court as required by law, which sum shall be paid by warrant issued to said Sheriff by said Probate Judge and drawn on said Inferior Court fund.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

J. E. Gaddy.

THE STATE OF ALABAMA,

The County of Dallas.

Before me, Minnie E. Galt, a Notary Public in and for said County and State, this day appeared M. H. Raiford, who being duly sworn, deposes and says: That she the said M. H. Raiford, is business manager of the Selma Times-Journal which is a newspaper published in Selma, Dallas County, Alabama; that the attached notice was published in said Times-Journal for four consecutive weeks, as follows: June 11th, June 18th, June 25th, and July 2, 1927.

M. H. Raiford,

Sworn to and subscribed before me this July 21st, 1927.

Minnie E. Galt,

Notary Public, Dallas Co. Ala.

By Mr. Fite (With N. & P.):

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Bright Precinct No. 55. To define the jurisdiction thereof, to provide for organizing and empanelling Grand Juries therefor, and define the jurisdiction of said Grand Juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to rearrange the territorial boundary lines of the jurisdiction of said court so held at Bessemer, and defining the boundary lines thereof by metes and bounds instead of by Precincts, and eliminating from said Act Section 9½.

Judiciary.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama application will be made to have the following bill passed:

A BILL

To be entitled An Act to amend an Act entitled 'An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling Grand Juries therefor, and define the jurisdiction of said Grand Juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to rearrange the territorial boundary lines of the jurisdiction of said court so held at Bessemer, and defining the boundary lines thereof by metes and bounds instead of by Precincts, and eliminating from said Act Section 9½.

Be it enacted by the Legislature of Alabama:

Section 1. That an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meeks Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, be and the same is hereby amended so as to read as follows:

"Section 1. That the Circuit Court of the Tenth Judicial Circuit shall be held each year at the City of Bessemer in and for the particular territory hereinafter described, in Jefferson County, Alabama, said court, when so held, to be presided over by Judge No. Five of the Tenth Judicial Circuit, and such other judges as may be, from time to time, by the Presiding Judge of the Tenth Judicial Circuit, or the Chief Justice of the Supreme Court of Alabama, designated. The said Circuit Court, so held at Bessemer, shall be open all the year for the transaction of business, each day, except Sunday, and except on such legal holidays as the Court may by an order entered on its records designate from time to time; provided, that from the first day of July, until the first day of September of each year, no civil cases at law shall be tried in said court without the consent of the parties, but during such period a judge of the Tenth Judicial Circuit, to be designated by the Presiding Judge of said Circuit, shall be at the courthouse at Bessemer every day except Sunday, for the transaction of such business as may be presented to him, or as may come before said court; provided, further, that the said Judge No. Five, or such other judge as may at the time be presiding over said division of said court, may order a recess during all or any portion of the week beginning on December the 24th of each year, not extending beyond six court days; provided, further, that no civil cases shall be set for hearing in said court, except by consent of the parties during the week preceding each call of the division in the Supreme Court including Jefferson County, and during the first week of such call.

Section 2. The said Circuit Court of the Tenth Judicial Circuit, holding at Bessemer, as in this Act provided, shall have, exercise and possess, all of the jurisdiction and the powers which are now, or which may hereafter be conferred by law on the several circuit courts of this State, which

said jurisdiction and powers shall be exclusive in limited to, and extend over that portion of the territory of the County of Jefferson, which is described as follows, to-wit: Begin at the point where the Range Line dividing Ranges Two and Three going South first intersects the Cahaba River, in Township 19, on the county line, between the Counties of Jefferson and Shelby, and run thence North along said Range Line to the Northeast corner of Section 13, Township 19, Range 3, West; thence west along the Section Line one mile to the Northwest corner of said Section 13; thence North one mile to the Northeast corner of Section 11, Township 19, Range 3, West; thence West three miles to the Southeast corner of Section 5, Township 19, Range 3, West; thence North three miles to the Northeast corner of Section 29, Township 18 Range 3, West; thence West two miles to the Southeast corner of Section 24, Township 18, Range 4, West; thence North two miles to the Southeast corner of Section 12, Township 18, Range 4, West; thence West one-fourth of a mile to the east boundary line of the City of Fairfield as it now exists; thence in the general direction of North with and along the East boundary line of the said City of Fairfield, and turning with and continuing along said boundary line of said city around the North end of said city, and in a general Southwest direction, continuing along said boundary line of said City of Fairfield to the point where said boundary line intersects the line that bounds Section 11 and 12, in Township 18, Range 4, West on the north; thence West to the Northwest corner of said Section 11, Township 18, Range 4, West; thence North three miles to the Northeast corner of Section 27, Township 17, Range 4, West; thence West two miles to the Southeast corner of Section 20, Township 17, Range 4, West; thence North two miles to the Northeast corner of Section 17, Township 17, Range 4, West; thence due West to the intersection of the County Line between the Counties of Walker and Jefferson; thence with and along said County Line and turning with and continuing along the same as it divides the counties of Walker and Jefferson to its intersection with the County Line of Tuscaloosa County; thence with the variations of and along the County Line of Tuscaloosa County in a general Southeasterly direction to the point where said County Line intersects the County Line of Bibb County; thence in a general Easterly and Northeasterly direction with and along said Bibb County Line as it divides said County of Bibb from the County of Jefferson to the point where said County Line intersects the County Line of Shelby County; thence in a general Northeasterly direction with and along said Shelby County Line as it divides the said Counties of Shelby and Jefferson, to the point of beginning, and from and over the above mentioned and described territory all jurisdiction and powers heretofore or now exercised or existing therein by the Circuit Court of the Tenth Judicial Circuit as now held at Birmingham, is hereby expressly excluded.

Section 3. There shall be organized and empanelled for the said Circuit Court of the Tenth Judicial Circuit holding at Bessemer at least two grand juries each year, and as many more grand juries each year as the Judge presiding over said court may be of the opinion is for the public good, may be organized and empanelled for said court. The grand juries, so held at Bessemer, shall have, exercise and possess, all of the jurisdiction and powers which are now, or which may hereafter be, conferred by law on the grand juries of the several circuit courts of this State, which said jurisdiction and power of said grand juries shall be exclusive in, limited to, and extend over, the same territory in Jefferson County as hereinabove defined as the territorial jurisdiction of said Circuit Court holding at Bessemer, and that from and over the above mentioned and described territory all jurisdiction and powers possessed or exercised therein at the time of the passage of this Act by the grand juries of the Circuit Court of the Tenth Judicial Circuit as now held at Birmingham, are hereby expressly excluded.

Section 4. The Circuit Court of the Tenth Judicial Circuit holding at Bessemer may for all practical purposes be designated and referred to as the Bessemer Division of the Circuit Court of Jefferson County.

Section 5. In all cases where an appeal shall now or hereafter lie to the Circuit Court of the Tenth Judicial Circuit from any judgment or decision rendered by a Justice of the Peace, a notary public exercising the jurisdiction of a justice of the peace, an Inferior Court, a Recorder's Court, a Mayor's Court, a Juvenile Court, a Probate Court, or any other like or similar court by whatever name called, such appeal, from and after the passage of this Act, shall lie and be returnable to the Circuit Court of the Tenth Judicial Circuit holding at Bessemer, as in this Act provided for, and not elsewhere, in all cases where the court from which the appeal is taken or prosecuted is held within the territory hereinabove described; and in all cases where any process shall issue from the courts of such officers, or Inferior tribunals returnable to the Circuit Court, the same shall be returnable to the said Circuit Court of the Tenth Judicial Circuit holding at Bessemer, and not elsewhere; and the same rule as in this section provided as applicable to appeals, shall likewise be applicable to all cases, causes and proceedings which are authorized by law, or which may hereafter be authorized by law, to be removed to the Circuit Court by any writ, process or certiorari, regardless of whether it is authorized to be so removed by common law or statutory writ, process or certiorari.

Section 6. That the Circuit Court of the Tenth Judicial Circuit holding at Bessemer, as in this Act provided for, shall when not in conflict with the provisions hereof be governed by the same rules, general, local and special laws, as govern the said Circuit Court when holding at Birmingham; but this shall not be construed as prohibiting a Judge of said court holding court at Bessemer as in this Act provided for, from promulgating other and different rules governing the practice and the procedure in and for said court holding at Bessemer; and all local, special and general laws applicable to the Circuit Court of the Tenth Judicial Circuit holding at Birmingham, shall be applicable to said Circuit Court holding at Bessemer, when not in conflict with any provision of this Act, nor with any law or part of a law applicable alone to courts not held at a county site.

Section 7. That the Deputy Solicitor and the Deputy Clerk now provided by law in cases where such courts are held at places other than the county site in such circuits shall be, and they are hereby ratified and confirmed as, and they shall continue to be, the Deputy Solicitor and Deputy Clerk, respectively, of said Circuit Court of the Tenth Judicial Circuit holding at Bessemer, for the terms for which they have been elected, and with the powers now or hereafter conferred on them by law, and their successors shall be elected or appointed as now or may hereafter be provided by law in such cases. The Sheriff and other officers of the county who are officers of the Circuit Court of the Tenth Judicial Circuit shall likewise continue to be officers of said Circuit Court holding at Bessemer, and shall have and exercise with reference to said court all of the powers that they may now, or may hereafter have and exercise with reference to said court holding at Bessemer or elsewhere.

Section 8. That all warrants or writs of arrest issued by justices of the peace, notaries public exercising the jurisdiction of justices of the peace, Judges of Inferior Court created in lieu of Justices of the Peace, and all like or similar officers by whatever name called for the commission of misdemeanors arising or committed in the territory hereinabove mentioned and described as constituting the territorial jurisdiction of the Circuit Court of the Tenth Judicial Circuit holding at Bessemer, and over which they have not final jurisdiction, shall be made returnable directly to said Circuit Court holding at Bessemer, and over which they have not final jurisdiction, shall be made returnable directly to said Circuit Court holding at Bessemer for trial, and shall there be tried without an indictment of a grand jury; and

any Circuit Judge presiding over the Circuit Court of the Tenth Judicial Circuit holding at Bessemer as in this Act provided for is authorized to issue warrants, or writs of arrest, in all misdemeanor cases, when the misdemeanor for which the warrant or writ of arrest is issued has been committed or arises in the territory mentioned and described in this Act as constituting the territorial jurisdiction of said court holding at Bessemer, returnable directly to said court holding at Bessemer for trial, without an indictment of a grand jury.

Section 9. That all summons or other process issued under this Act or issued out of the court holding as provided in this Act, shall be returnable to said Circuit Court holding at Bessemer, and it shall be so designated in such summons or other process; and all books, papers, writs, summons and process used in, issued out of, or pertaining to said court, holding as in this Act provided for, may have on them or in them, or both, words appropriately designating them as the books, papers, writs, summons or process of said Bessemer Division of the Circuit Court.

Section 10. That if any section, sentence, clause or provision of this Act is held to be unconstitutional or void, such holding shall not in any manner affect any other section, sentence, clause or provision of this Act that is not in itself unconstitutional or void.

Section 11. That all laws and parts of law, whether local, general or special, in conflict with this Act, are hereby expressly repealed.

Section 12. That all laws and parts of law, whether general, local or special, in conflict with this Act, are hereby expressly repealed.

Section 13. That if any section, sentence, clause or provision of this Act is held to be unconstitutional or void, such holding shall not in any manner affect any other section, sentence, clause or provision of this Act that is not in itself unconstitutional or void.

The State of Alabama,
Jefferson County.

Personally appeared before the undersigned authority in and for said County in said State, L. W. Jones, who, being duly sworn, deposes and says that he is the Manager of the Bessemer Advertiser, a newspaper of general circulation published in Bessemer in Jefferson County, Alabama, and that he has personal knowledge of the facts herein set forth and that the bill hereto attached has been published in said Bessemer Advertiser, a newspaper of general circulation, for five (5) successive weeks, viz.: June 30, July 7, July 14, July 21st and July 28, of 1927.

L. W. Jones.

Sworn to and subscribed before me, this the 29th day of July, 1927.

Fred Ross,

Notary Public.

By Mr. Fite (With N. & P.):

S. 386. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of a law, the substance of which proposed law is as follows:

"AN ACT

To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered, and rearranged.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, be and the same are hereby extended, changed, altered and re-arranged so that the boundary lines and corporate limits of said Town shall embrace and include all that territory of land embraced and included in the following limits and boundaries, to-wit:

Begin at the Northeast Corner of Section 7, Township 17 South, Range 2 West, thence West along the North line of Section 7, Township 17 South, Range 2 West 2762.75 feet to its intersection with the East boundary of the main line right of way of the Louisville & Nashville Railroad Company, thence South along said East boundary line of said right of way of Louisville & Nashville Railroad Company's main line 1257 feet to the South right of way line of the County Road, thence at an angle of $81^{\circ} 15'$ to the left 224.3 feet, thence at an angle of $8^{\circ} 36'$ to the left 609.6 feet, thence with an angle of $87^{\circ} 26'$ to the right 1804.8 feet, thence with an angle of $24^{\circ} 23' 30''$ to the right 500 feet, thence with an angle of 21° to the left 1057.6' to an intersection with the Northwestern right of way line of the Birmingham Water Works Company's Canal, thence with an angle of $137^{\circ} 28'$ to the left following said Northwestern right of way 3138.37 feet to a point of curvature, thence on a 26° curve to the left through an arc of $11^{\circ} 10'$ a distance of 43.32 feet to a point of tangency, thence following said tangent and traversing said Northwestern right of way line 682.61 feet to a point of curvature, thence on a 26° curve to the right through an arc of $4^{\circ} 55'$ a distance of 19.07 feet to a point of tangency, thence following said tangent and traversing said Northwestern right of way line 466.4 feet to its intersection with the South line of the Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section 8, Township 17, South, Range 2 West, thence 714.98 feet West along the said South line of Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section 8, Township 17, South, Range 2 West to the East line of Section 7, Township 17, South, Range 2 West, thence with an angle of $88^{\circ} 28'$ to right running North along said East line of Section 7, Township 17 South Range 2 West, 1322.3 feet to the point of beginning; and also begin at the Southwest Corner of the Southeast quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) Section 4, Township 17 South Range 2 West, thence East along the South boundary of Section 4, Township 17 South Range 2 West to the Southeast Corner of the Southwest Quarter of Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) said Section 4, thence North along the East boundary of said Southwest Quarter of Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) Section 4 to the Northeast Corner of Southwest Quarter of Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) of said Section 4; thence West along the North boundary of the Southwest Quarter of Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) and Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of said Section 4 to the Northwest Corner of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 4, thence South along the West boundary of said Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) Section 4, to the Southwest Corner of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 4, Township 17 South, Range 2 West, the point of beginning; All situated in Jefferson County, Alabama.

Section 2. That all that territory embraced within said areas described in Section 1 hereof be and the same is hereby included within and made a part of said Town of Tarrant City.

Section 3. That the boundaries and corporate limits of the said Town of Tarrant City as hereby extended, altered and re-arranged shall be and are hereby defined and established, as follows:

Beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Nine, Township 17 South Range 2 West, thence North along the East boundary of the West half of the Northwest Quarter (W $\frac{1}{2}$ of NW $\frac{1}{4}$) of said Section 9 to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section 9, thence East along the South boundary of Section 4, Township 17 South Range 2 West to the Southeast Corner of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section 4, thence North along the East boundary of said Southwest quarter of Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 4 to the Northeast Corner of said Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 4, thence West along the North boundary of the Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) and Southeast Quarter of Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section 4 to the Northwest Corner of the Southeast Quarter of Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of said Section 4, Township 17 South Range 2 West, thence North along the East Boundary of the West Quarter of Section 4, Township 17, South Range 2 West, to the Northeast Corner of the Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of said Section 4; thence West along the North boundary of Section 4 and Section 5, Township 17 South, Range 2 West to its intersection with the West Bank of Five Mile Creek; thence down said Five Mile Creek along its North and West bank and following the meandering of same to its intersection with the Eastern boundary line of the Right of Way of the main line of the Louisville & Nashville Railroad Company; thence in a Southerly direction along said Eastern boundary line of the Right of Way of the Louisville & Nashville Railroad Company to its intersection with the South right of way of the County Road, at a point 1257 feet South of the North boundary of Section 7, Township 17 South, Range 2 West, thence with an angle of 81° 15' to the left 224.3 feet; thence with an angle of 8° 36' to the left 609.6 feet; thence with an angle of 87° 26' to the right 1804.8 feet; thence with an angle of 24° 23' 30" to the right 500 feet; thence with an angle of 21° to the left 1957.6 feet to an intersection with the Northwestern right of way line of the Birmingham Water Works Company's Canal; thence with an angle of 137° 28' to the left following said right of way line of said canal 3138.37 feet to a point of curvature; thence on a 26° curve to the left through an arc of 11° 10' a distance of 43.32 feet to a point of tangency; thence following said tangent and traversing said right of way line 682.61 feet to a point of curvature, thence on a 26° curve to the right through an arc of 4° 55' a distance of 19.07 feet to a point of tangency; thence following said tangent and traversing said Northwestern right of way line 466.4 feet to its intersection with the South boundary line of the Northwest Quarter of the Northwest Quarter, Section 8, Township 17 South, Range 2 West, thence East along the said South boundary line of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) Section 8, to the Southeast Corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) Section 8, Township 17, South, Range 2 West; thence South along the West boundary line of the Southwest Quarter of the Northeast Quarter, Section 8, Township 17 South, Range 2 West, to its intersection with the South line of Oak Park Addition as recorded in Books of Maps, Volume Nine (9) Page Eighty-five (85), Probate Office of Jefferson County, Alabama, thence East along said South line of said Oak Park Addition to the

West line of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of said Section 8; thence South along the West line of the Southeast Quarter of the Northeast Quarter of said Section 8 to the Southwest Corner of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of said Section 8; thence East along the East and West center lines of Sections 8 and 9, Township 17 South, Range 2 West, to the Southeast Corner of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 9, Township 17, South of Range 2 West, the point of beginning. Situated in Jefferson County, Alabama.

Section 4. That all laws and parts of laws in conflict, or inconsistent with this act be and are hereby repealed.

Section 5. That this act shall go into effect immediately upon its approval by the Governor.

Published by order of the Town Council of the Town of Tarrant City, Alabama.

Wallace Wells, Town Clerk.

THE STATE OF ALABAMA,

Jefferson County.

Before me, Wallace Wells, a Notary Public in and for said State and County, personally appeared Chas. T. Atkinson, who being first duly sworn doth depose and say that he is the Managing Editor of the Tarrant City Booster, a newspaper published in the Town of Tarrant City, in Jefferson County, Alabama, and that the notice hereto attached was published in said Tarrant City Booster once a week for four consecutive weeks, viz., in the issues of said paper published on the 27th day of May, 1927, 3rd day of June, 1927, 10th day of June, 1927, and 17th day of June, 1927 and that said notice was published without cost to the State of Alabama.

Sworn to and subscribed before me this the 19th day of July, 1927.

(Seal)

Chas. T. Atkinson,
Wallace Wells,
Notary Public.

By Mr. Stanley (With N. & P.):

S. 295. To amend Section 5 of an Act approved Sept. 29th, 1919 entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said County; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that said Section 5 as amended shall read as follows:

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a Bill will be introduced at the present session of the Legislature of Alabama, to amend Section Five of an Act entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office," approved September 26, 1919, so that said section five as amended shall read as follows:

Section 5. That such solicitor shall receive as compensation for his services twenty four hundred dollars per annum, to be paid to him in monthly installments by the county depository of said County out of the fees taxed against defendants, as provided for in the last preceeding section of this Act; provided, that the fees so taxed and paid to the county depository of said county during the year shall amount to twenty four hundred dollars; but if they do not, then and in that event, said Solicitor shall only receive the fees that have been so taxed and paid to the county depository of said county. If, at the end of the year, the fees so taxed and paid into the county depository of said county shall exceed twenty four hundred dollars, the excess shall be transferred to and become a part of the general fund of said county, and shall be paid out in the same manner as other moneys belonging to said fund are paid out.

STATE OF ALABAMA,
Conecuh County.

Before me, Carol J. King, a Notary Public in and for said State and County, personally appeared Mrs. Alice C. Whitcomb, who being sworn says on oath that she is editor and publisher of the Conecuh Record, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated May 19th, 1927, and the second insertion being in issue dated May 26th, 1927, the third insertion being in issue dated June 2nd 1927, and the fourth insertion being in issue dated June 9th, 1927.

Alice C. Whitcomb.

Sworn to and subscribed before me this 20th day of June, 1927.

Carol J. King,

(Seal)

Notary Public in and for said State and County.

By Mr. Craft (With N. & P.) :

S. 164: For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

With Notice and Proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the undersigned intends to apply for the enactment of the following law by the Legislature of Alabama, viz:

"A Bill to be entitled an Act for the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

Be it Enacted by the Legislature of Alabama:

First, That the "State Docks Commission" pay to Carrie Bemis the sum of three thousand dollars (\$3,000) as compensation for the death of her minor son, Roy Albert Bemis, which occurred in September, 1926, through the negligence of a co-employee, while Roy Albert Bemis was in the employ of said commission."

Carrie Bemis.

STATE OF ALABAMA,
County of Mobile.

Personally appeared before me, T. Potter Yeend, a notary public in and for said state and county, J. C. Ballentyne, who, being sworn, deposes and says that he is an officer of the Mobile Register, Inc., a corporation, engaged in the business of publishing a daily newspaper in the City of Mobile, State of Alabama, which newspaper is known and designated as the Mobile Daily Register, and is a newspaper of general circulation, and that, as such

officer, he is duly authorized to make this affidavit on its behalf; and that the foregoing printed notice was published in said newspaper upon February 2nd, 1927, and once a week for four consecutive weeks (including said date) in said newspaper, viz: upon January 12th, 1927, January 19th, 1927, January 26th, 1927 and on said second day of February, 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me, this, the 11th day of February, 1927

(Seal) T. Potter Yeend,
Notary Public, Mobile County, Alabama.
Notary Public in and for Mobile County, Ala., My Commission Expires
June 24, 1930.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Judiciary: S. 384; S. 501.

Local Legislation: S. 499; S. 358; S. 494; S. 407; S. 295.

Municipal Organization: S. 498; S. 386.

Appropriations: S. 367; S. 164.

Public Health: S. 511.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 651. To provide for the election of a County Superintendent of education for Etowah County, Alabama, by the qualified electors thereof; and to prescribe the qualifications, duties and to fix the term of office and compensation of such officer.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bills and returns same herewith to the House:

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Also:

H. 554. To establish an inferior court in precinct twelve of Jefferson County, Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precinct twelve of Jefferson County, Alabama, and to define the jurisdiction and powers of said court and of the judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all justice of the peace, and notary public ex-officio justice of the peace in said precinct.

Also:

H. 741. To reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

Also:

By Mr. Grove:

H. 55. A Bill to be entitled an act to submit to the qualified voters of the State of Alabama, at the General election to be held in November, 1928, for their consideration, an amendment to the constitution of the State of Alabama, so as to authorize and empower the Legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method or basis of their compensation.

Be it Enacted by the Legislature of Alabama:

Section One. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration, as hereinafter set forth, viz: "The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowance or salaries to be charged or received by any County Officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation."

Section Two. That it shall be the duty of the Governor of Alabama to give notice by proclamation to the published in one newspaper in each county in the State of Alabama at least eight successive weeks next preceding the general election in November, 1928, of the election on the amendment proposed by this

Act to be submitted to the qualified voters of the State of Alabama for their consideration together with the proposed amendment.

Section Three. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment. Upon the ballots used at such election shall be printed the following, viz: Amendment to Constitution, authorizing the Legislature of Alabama, by general or local laws, from time to time, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under shall be printed the word "No". The choice of the elector shall be indicated by a cross-mark by him or her opposite the words expressing his or her desire.

Section Four. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with law governing general elections. In the election upon the proposed amendment the votes cast thereat shall be canvassed tabulated and the returns thereof be made to the Secretary of State and counted in the same manner as in elections for Representatives to the Legislature of Alabama, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Long, (Mr. Goode presiding) the House concurred in and adopted the Senate Amendment to the Bill H. 357. Said Senate amendment being as follows:

AMENDMENTS OF SENATE STANDING COMMITTEE ON EDUCATION TO HOUSE BILL NO. 357 BY MR. LOVELACE

AMENDMENT NO. 1

Amend Section 2 of said Bill as follows:

By striking out of said Section the consecutive words, "and normal schools."

AMENDMENT NO. 2

Amend House Bill No. 357 by striking out Section 8 thereof and inserting in lieu thereof the following:

Section 8. As soon as practicable, and not later than three days after its organization, the Text Book Committee shall advertise in such manner and for such length of time and at such places as may be deemed advisable that a certain time and place sealed bids or proposals will be received from publishers of school text books for furnishing books to the public schools in the State of Alabama, through such agencies or in such manner or by such method as may be provided under the terms of this Act. The bids or proposals by said publishers shall be for furnishing books for a period of six years, unless otherwise ordered by the State Board of Education. Said bids shall state specifically and definitely the price at which the books shall be furnished, F. O. B. shipping point specified by the publisher, and shall be accompanied by specimen copies of each and every book proposed to be furnished. The Text Book purchasing Board shall advise the Text Book Committee the various methods it will probably adopt for the distribution of text books in the State of Alabama, and each bid shall specifically state the particular price the book will be furnished under each alternative method which the Text Book Purchasing Board reserves the right to use in the distribution of text books.

AMENDMENT NO. 3

Amend House Bill No. 357 by striking out Section 19 and inserting in lieu thereof the following:

Section 19. It shall be the duty of the State Board of Administration to provide for the distribution of text books in the State of Alabama by such method and in such manner as shall be approved by the Text Book Purchasing Board. The Text Book Purchasing Board shall have the power and authority to purchase text books for the public schools of the State; or the Text Book Purchasing Board may contract for consignment of said books by the publishers to the State to be distributed and sold to the patrons of the public schools by such methods and in such manner as the Text Book Purchasing Board deems to be the best interest of the patrons of the public schools. The Text Book Purchasing Board shall also have the power and authority to contract with the publishers for the sale and distribution of text books to the patrons of the public schools or may set up from time to time any other regulation or method which the Text Book Purchasing Board considers will secure the prompt distribution of books at the lowest price to the patrons of the public schools of the State. Provided, however, that no books

shall be shipped to the State on consignment except on requisition or order of the State Board of Administration; and by consent of the publisher, expressed by contract or otherwise.

AMENDMENT NO. 4

Amend House Bill No. 357 by striking out section 20 and inserting in lieu thereof the following:

Section 20: After the Text Book Purchasing Board has approved the general plan or method of handling and distributing text books, it shall be the duty of the State Board of Administration to carry into effect such plan. The State Board of Administration shall have full control and direction of ordering, shipping and collecting the purchase price of the textbooks, if the same are handled by purchase by the State or by a consignment to the State for distribution. The State Board of Administration shall have full power and authority to contract with individuals, corporations, county boards of education and city boards of education for the handling and distributing of text books to the patrons of public schools. Provided, however, that no books shall be shipped to the State on consignment except on requisition or order of the State Board of Administration.

AMENDMENT NO. 5

Amend Section 21 of House Bill 357 as follows:

By adding after the words, "and other expenditures shall not exceed five (5%) percent of the price at which the State receives the books from the publisher," the following words as a part of the same sentence:

"Either on consignment or by purchase; provided further that as a profit or commission for the handling of the books by the local book agent, by the county board of education or the city board of education, as the case may be, not more than ten (10%) per cent of the price at which the State contracts for the books with the publisher, either on consignment or by purchase, may be allowed for such local distribution of books.

AMENDMENT NO. 6

Amend Section 31 of House Bill 357 as follows:

By adding to Section 31 the following clause:

"Provided that in cities of a population of 40,000 or more inhabitants according to the last or any succeeding federal census that furnish free textbooks, the board of education, upon the recommendation of the city superintendent of schools, and the approval of the State Board of Education, may use books other than those prescribed by the State Text Book Purchasing Board; and provided further than in cities of 2,500 or more in-

habitants according to the last or any succeeding federal census, the board of education, upon the recommendation of the city superintendent of schools, and the approval of the State Board of Education, may substitute in their list of high school text books other than those prescribed by the State Textbook Purchasing Board.

AMENDMENT NO. 7

Amend House Bill 357 by striking out section 12 thereof and inserting in lieu thereof the following:

Section 12. The Governor, the State Superintendent of Education and the President of the State Board of Administration shall constitute the Text Book Purchasing Board. The Governor shall be chairman and the State Superintendent of Education the secretary of said Board. It shall be the duty of the Text Book Purchasing Board to select a uniform series of text books for use in the public schools of the State for a period of six years unless otherwise directed by the State Board of Education. No book shall be adopted by the Text Book Purchasing Board which has not been rated as suitable or desirable by the Text Book Committee. It shall be unlawful for any school official, director or teacher to use any book upon the same branches other than those adopted to the exclusion of the regularly adopted books.

Yeas, 77; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Kirkpatrick	Rogers (Elmore)
Adcock	Golson	Lawler	Rogers (Mobile)
Allen	Goode	Lee	Sanders (Pike)
Anderson	Goodwyn	Lovelace	Sanderson
Ashcraft	Graves	McAdory	Shepherd
Baldwin	Green	Matthews	Simpson
Bartlett	Gullatt	Miller (Marengo)	Smith
Brunson	Guy	Miller (Sumter)	Starnes
Burleson	Hawkins	Molette	Stephens
Burns	Hightower	Moxley	Stewart (Calhoun)
Byars	Howard	Mullen	Thompson
Carter	Howell	Owens	Tompkins
Christian	Hughes	Parish	Tunstall
Cockrell	Jeter	Pitts	Ward (Geneva)
Cook	Johnson	Poole	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Quillin	Ware
Deloney	Jones (Cleburne)	Reeder	Webb
Denson	Jordan (Etowah)	Ringer	Weldon
Edwards	Jordan (Washington)	Rivers	Winn
Fite			

—77

On motion of Mr. McAdory the House concurred in and adopted the Senate amendment to the Bill H. 554. Said Senate amendment being as follows:

Amend Section 3 so as to read as follows:

Section 3. The Judge of said Court shall be appointed by the Governor within 20 days after approval of this Act. Such Judge shall be at least 21 years of age, and shall be a qualified elector and a resident of said precinct. He shall hold office until his successor is appointed and qualified. He shall give bond and surety as now required by law of Justices of the Peace.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Merrill	Reeder
Adcock	Green	Molette	Ringer
Allen	Grove	Monk	Rivers
Beebe	Gullatt	Morrow	St. John
Bryant	Guy	Moxley	Shivers
Burns	Hollis	Mullen	Simpson
Byars	Howard	Nipper	Smith
Cannon	Howell	Norman	Starnes
Carter	Hughes	Owens	Stephens
Cook	Jeter	Patterson	Vickers
Darden	Johnson	Pegues	Waddell
Delcney	Lawler	Pitts	Wallace
Denson	Lee	Poole	Ware
Edmundson	Luck	Powell	Webb
Fite	McAdory	Quillin	Weldon
Frey	Martin	Rankin	Winn
Goode			

—65

And on motion of Mr. Ward of Tuscaloosa the House concurred in and adopted the Senate amendment to the Bill H. 741. Said Senate amendment being as follows:

Substitute H. B. 741 by W. C. Warren:

Amend House Bill No. 741 by substituting therefor the following:

A Bill to be entitled an act to reduce the Corporate Limits of the City of Tuscaloosa, Alabama, by altering and rearranging its boundary lines,

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said city all of the territory lying within the County of Tuscaloosa included within the boundaries herein set out, namely: Beginning at a point on the west bank of the Warrior River where the center line north and south through Section Twenty-One (21), Township Twenty-One (21) South, Range Ten (10) West, intersects the low water mark on said west bank of said river, and running thence south along said center line

through said Section Twenty-One (21) and along the center line through Section Twenty-Eight (28) of said Township and Range, to the south line of section Twenty-Eight (28), thence east along the south lines of said Section Twenty-Eight (28) and Section Twenty-Seven (27) of said Township and Range, to the intersection of the same with the extension southwardly of the west line of Cherry Street, as said street is shown on the plat of the survey of the Tuscaloosa Development Company, thence eastwardly along the said west or north line of said Cherry Street and the extension southwardly of the same, to an intersection with the said south line of said Section Twenty-Seven (27) thence eastwardly along the south line of said Section Twenty-Seven (27), thence north along the north and south centerline of said Section Twenty-Seven (27) to the north margin of the road which lies on the south side of the F. E. Shide Survey, thence eastwardly along the north margin of said road to the southeast corner of said F. E. Shide Survey, thence northwardly along the east side of said F. E. Shide Survey to the south margin of South Eighth Avenue extended westwardly, as said South Eighth Avenue is shown on the plat of the Tuscaloosa Coal Iron and Land Company Survey, said South Eighth Avenue being now designated on the City map as Twenty-fourth (24th) Street, thence eastwardly along the South margin of said South Eighth Avenue and the extension westwardly of the same to the west line of East Second Avenue, according to said Tuscaloosa Coal, Iron and Land Company Survey, said East Second Avenue being now designated on the City map as Seventeenth (17th) Avenue, thence southwardly along said west line of said East Second Avenue and the extension southwardly of the same to its intersection with the south line of Section Twenty-Six (26), Township Twenty-One (21) South, Range Ten (10) West, thence eastwardly along the south line of said Section Twenty-Six (26) to the southeast corner of the southwest quarter of the southwest quarter of said Section Twenty-Six (26), thence north parallel with the west line of said Section Twenty-Six (26), to the north margin of the Hargrove Road, thence eastwardly along north margin of the Hargrove Road, to the intersection of the same with the center line north and south through Section Twenty-Five, (25) Township Twenty-One (21) South, Range Ten (10) West, thence north along said center line through said Section Twenty-Five (25) and through Section Twenty-Four (24), in said Township Twenty-One (21) South, Range Ten (10) West, to the south margin of the right of way of the Alabama Great Southern Railway Company, thence eastwardly along said south margin of said right of way to a point two thousand one hundred fifty (2150) feet eastwardly from the west line of Section Nineteen (19), Township Twenty-One (21)

South, Range Nine (9) West, thence north to the south margin of the Huntsville Road, thence westwardly along said south margin of said Huntsville Road to a point Four Hundred (400) feet westwardly from the west line of Section Twenty-Four (24), Township Twenty-One (21) South, Range Ten (10) West, thence north parallel with the said west line of said Section Twenty-Four (24) to an intersection with the South margin of the right of way of the main line of the Louisville and Nashville Railroad Company, thence eastwardly along the said south margin of said railroad right of way to the intersection of the same with the east line of the northwest quarter of the southwest quarter of Section Eighteen (18), Township Twenty-One (21) South, Range Nine (9) West, thence north to the low water line on the west bank of the Warrior River, thence southwardly along said low water line on said west bank of said Warrior River to the point of beginning.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Howard	Pegues	Smith
Anderson	Johnson	Powell	Starnes
Bryant	Jones (Bullock)	Quillin	Stephens
Burleson	Jones (Cleburne)	Rankin	Stewart (Bibb)
Cannon	Jordan (Etowah)	Reeder	Stewart (Calhoun)
Christian	Jordan (Washington)	Ringer	Thompson
Cockrell	Kirkpatrick	Rivers	Tompkins
Deloney	Langdon	Rogers (Elmore)	Tunstall
Edmundson	McAdory	Rogers (Mobile)	Vickers
Edwards	Martin	St. John	Waddell
Goodwyn	Matthews	Sanders (Conecuh)	Wallace
Graves	Miller (Marengo)	Sanders (Pike)	Ward (Geneva)
Grove	Miller (Sumter)	Sanderson	Ward (Tuscaloosa)
Hampton	Molette	Shepherd	Ware
Harwood	Morrow	Shivers	Weldon
Hawkins	Patterson	Simpson	Winn
Hightower			

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And on motion of Mr. Grove the House concurred in and adopted the Senate amendment to the Bill H. 55.

Said Senate amendment being as follows:

Amend H. 55 by striking therefrom the words "or salaries" wherever they occur together therein.

Yeas, 84; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Bartlett	Burns	Cockrell
Adcock	Beebe	Byars	Cook
Allen	Brunson	Cannon	Darden
Anderson	Bryant	Carter	Deloney
Baldwin	Burleson	Christian	Derison

Edmundson	Howard	Miller (Marengo)	St. John
Edwards	Howell	Miller (Sumter)	Sanders (Conecuh)
Fite	Hubbard	Molette	Sanderson
Frey	Jeter	Monk	Shepherd
Golson	Johnson	Morrow	Simpson
Goode	Jones (Bullock)	Moxley	Starnes
Goodwyn	Jordan (Etowah)	Mullen	Stephens
Graves	Jordan (Washington)	Nipper	Stewart (Calhoun)
Green	Kirkpatrick	Owens	Thompson
Grove	Lee	Parish	Wallace
Gullatt	Lovelace	Patterson	Ward (Geneva)
Hampton	Luck	Pegues	Ward (Tuscaloosa)
Harwood	McAdory	Powell	Ware
Hawkins	Martin	Quillin	Webb
Hightower	Matthews	Reeder	Weldon
Hollis	Merrill	Rogers (Elmore)	Winn

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REPORT OF CONFERENCE COMMITTEE

Mr. Poole from the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 391 made the following report:

To the Senate and House of Representatives:

We, your conference committee, having under consideration House Bill No. 391, entitled an act, "To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities, or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission to convict labor and let contracts for signs, advertising etc. on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire including the power, authority and duties of the Alabama Public Commission, in the matter of such regulation; and providing penal offenses concerning the matter of such regulation; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries, to provide for the establishment and maintenance of private roads; To provide for State Bonds for construction and maintenance of roads, issue and sale of; Good Roads Day Established; offenses concerning toll bridges, turnpikes and causeways; protecting

bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts, and tunnels; and the repeal of all laws and parts of laws in conflict with the provision of this act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, except such laws pertaining to revenue," beg leave to report as follows:

Your committee concurs in each of the amendments as adopted by the Senate and that the house adopt same with the following exceptions and respectfully recommend the following, to-wit: That the Senate recede from the amendment to section 11, by Mr. Edgar, and that said section 11, be made to read as follows: "Section 11: The salary of the Alabama Highway Director in Alabama shall be fixed at a sum to be prescribed by the Governor, but not exceed the salaries formerly paid the president of the State Highway Commission and the State Highway engineer, and the salaries of the associate commissioners shall be fixed at a sum to be prescribed by the Governor, not to exceed six thousand, five hundred dollars (\$6,500.00) per annum each, said salaries shall be paid in monthly installments on warrants drawn by the auditor. They shall also be paid their necessary traveling expenses when absent from the office of the said commission on business of the Highway Department, upon itemized verified statements approved by the Alabama Highway Director of the said commission and the Governor."

We further recommend that the said bill be amended as follows: By striking out the words "and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, "as they appear in the titles of said bill just after the words "provisions of this act" and just before the words "except such laws pertaining to revenue."

We further recommend that section 227, of said bill be amended as follows: by striking out the said section the last paragraph containing the following words; "And provided further, that this act shall repeal all statutes pertaining to public roads, highways, bridges, and related subjects not expressly treated in whole or in part in this act".

We further recommend that the said bill be amended by adding thereto the additional section, said section to read as follows:

"Section 61½. Police Powers of Commissioners; The members of the State Highway Commission of Alabama, shall be and are hereby vested with full police power to prefer charges against, and to make arrests of any person or persons violating any of the highway laws of the state of Alabama. The

State Highway Commission shall have full authority to designate any other person or persons in the employment of the State Highway department as a deputy police officer and such deputy police officer shall have full authority to prefer charges or, and, make arrests of any person or persons violating any of the highway laws of the State of Alabama and the jurisdiction of each officer or deputy as herein provided shall not be restricted to any one county, but shall have full authority throughout the State of Alabama. Provided, however, that said officers and deputies shall have no authority to prefer charges or make arrests for the violation of other than that of the road laws of the State of Alabama."

We further recommend that the said bill be amended by adding thereto the additional section said section to read as follows:

"Section 159½. Penalty for violating rules, regulations, or laws, of county commissioners etc. It shall be unlawful for any person, firm or corporation to violate any rule, regulation or law, which has heretofore been adopted or promulgated, or which may hereafter be adopted or promulgated, by the court of County Commissioners, Board of Revenue, or like governing body of any county, under the authority conferred by law, relating to the use, control, care, operation or maintenance of the public roads, bridges or ferries of said county; and any person, firm or corporation violating the same shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not more than five hundred dollars, and may also be sentenced to hard labor for the county for not more than six months. Each violation shall constitute a separate offense.

Respectfully submitted,

John Craft,
L. H. Ellis,
Fred Fite,
Committee on part of the Senate.
J. N. Poole,
W. M. Brunson,
R. L. Goodwyn,
Committee on part of the House.

And on motion of Mr. Poole the House concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 391.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Adcock	Goode	Lawler	Rogers (Elmore)
Allen	Goodwyn	Lee	Rogers (Mobile)
Anderson	Graves	Lovelace	Sanders (Concub)
Ashcraft	Green	McAdory	Sanders (Pike)
Baldwin	Grove	Martin	Sanderson
Bartlett	Gullatt	Matthews	Shepherd
Beebe	Guy	Merrill	Simpson
Brunson	Hampton	Miller (Marengo)	Smith
Bryant	Harwood	Miller (Sumter)	Starnes
Burns	Hawkins	Molette	Stewart (Calhoun)
Byars	Hightower	Monk	Thompson
Carter	Hollis	Moxley	Tompkins
Christian	Howard	Mullen	Tunstall
Cockrell	Hughes	Norman	Vickers
Cook	Jeter	Owens	Waddell
Darden	Johnson	Parish	Ward (Tuscaloosa)
Denson	Jones (Bullock)	Pegues	Ware
Edwards	Jones (Cleburne)	Pitts	Webb
Fite	Jordan (Etowah)	Poole	Weldon
Golson	Kirkpatrick	Reeder	Winn

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And said Bill:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define or provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission in the matter of such regulation and providing penal offenses concerning the matter of such regulation; and providing penal offenses concerning; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day and Road Improvement Districts established; Offenses concerning toll bridges, turnpikes and causeways; protecting bridges from

floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, except such laws pertaining to revenue.

As thus amended was again read a third time at length and passed.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Adcock	Goode	Lawler	Rogers (Elmore)
Allen	Goodwyn	Lee	Rogers (Mobile)
Anderson	Graves	Lovelace	Sanders (Conecuh)
Ashcraft	Green	McAdory	Sanders (Pike)
Bartlett	Grove	Martin	Sanderson
Baldwin	Gullatt	Matthews	Shepherd
Bartlett	Guy	Merrill	Simpson
Beebe	Hampton	Miller (Marengo)	Smith
Brunson	Harwood	Miller (Sumter)	Stewart (Bibb)
Bryant	Hawkins	Molette	Stewart (Calhoun)
Burns	Hightower	Monk	Tompson
Byars	Hollis	Moxley	Tompkins
Carter	Howard	Mullen	Tunstall
Christian	Hughes	Norman	Vickers
Cockrell	Jeter	Owens	Waddell
Cook	Johnson	Parish	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Pegues	Ware
Denson	Jones (Cleburne)	Pitts	Webb
Edwards	Jordan (Etowah)	Poole	Weldon
Fite	Kirkpatrick	Reeder	Winn
Golson			

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RESOLUTIONS

The following Resolutions were introduced:

By Mr. Webb:

H. R. 212. Relative to making House Bills 1083, 981, 982 and 1019 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Cockrell:

H. R. 213. Whereas, The History of Alabama is used in the Public Schools of the State and it would be only proper and right that this history be published in the State, and,

Whereas, the Alabama School of Trades and Industry at Gadsden, a State Institution, is well equipped for doing this class of work, therefore,

Be it Resolved by the House of Representatives and the Senate concurring, that the Department of Education of the State and the purchasing Department be encouraged or authorized to place the publication of the history of Alabama with the Alabama School of Trades and Industries, provided, the same can be done satisfactorily. By so doing, will aid and encourage boys in learning a useful trade and will be the means of aiding them financially to pay part of their expenses, or all, while in this work.

Be it further resolved: That counties, or other State Departments having printing or the publication of public documents be encouraged to have this work done at the above named institution, provided the work can be done satisfactorily.

And the resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 214. Relative to making the following bills Special Orders: S. 296; H. 725; H. 960; H. 765; H. 766; H. 767; H. 768; H. 394; H. 392; H. 405; H. 597; H. 279; H. 924; H. 925; H. 586; H. 704; H. 936; H. 1018; H. 427; H. 428; H. 806; H. 880; H. 210; H. 962; H. 842; H. 797; H. 881; H. 882; H. 998; S. 128; S. 179; H. 997; H. 805; H. 64; S. 332; H. 943.

And the Rules were suspended and the Resolution was adopted.

By Mr. Darden:

H. R. 215. Relative to making H. 938 special order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Thompson:

H. R. 216. Relative to making H. 683 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tompkins:

H. R. 217. Relative to making H. 1028 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Morrow:

H. R. 218. Relative to making H. 1035 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 219. Relative to making the following bills Special Orders; H. 964; H. 876; H. 910; H. 943; H. 991; H. 834 and H. 963.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 220. Relative to making S. 305 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Hollis:

H. R. 221. Relative to making H. 268 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Byars:

H. R. 222. Relative to making H. 699 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Tuscaloosa:

H. R. 223. Relative to making H. 957 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Harwood:

H. R. 224. Relative to making H. 959 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Harwood:

H. R. 225. Relative to making H. 2008 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Wallace:

H. R. 226. Relative to making H. 463 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Rogers of Mobile:

H. R. 227. Relative to making House Bills 300, 627, and 628 and S. B. 399 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ware:

H. R. 228. Relative to making H. 1085 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. McAdory:

H. R. 229. Relative to making House Bills 871; 444 and 758 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Johnson:

H. R. 230. Relative to making H. 180 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Merrill:

H. R. 231. Relative to making H. 676 and H. 771 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Etowah:

H. R. 232. Relative to making H. 935 a special order.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Baldwin:

H. 1094. To exempt hydro-electric power companies from the payment of any license or privilege tax to the State on electric current or power generated from plants or projects of not exceeding ten thousand horse-power capacity.

Ways and Means.

By Mr. Webb:

H. 1095. To authorize County Courts of Commissions, Boards of Revenue, or any other governing Body of any County in the State of Alabama to appropriate or donate money to the Alabama Boys' Industrial School.

Appropriations.

By Mr. Darden:

H. 1096. To amend Section 9337 of the 1923 Code of Alabama.

Revision of Laws.

By Mr. Kirkpatrick (With Notice and Proof):

H. 1097. To amend section 14 of An Act entitled An Act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the

peace in said precinct; to provide for the transfer of said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriffs fees; approved August 28, 1923.

Local Legislation.

Notice and Proof H. 1097:

NOTICE

Notice is hereby given that application will be made to the present Legislature during its regular session of 1927 to amend section 14 of the Act of the Legislature of 1923, approved August 8, 1923 being law No. 182, and appearing on pages 88, 89, 90, 91, 92 and 93 of Local Acts of 1923 of the Legislature, being the Act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of judge thereof, to provide for execution of process of said court and the operation thereof, to regulate the procedure in said court, and appeals therefrom, to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election, to provide a fund out of which the salary of said judge and the expenses of said court shall be paid, to provide for the appointment of an acting judge in event the regular judge is unable to serve, to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct, to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established, to provide that the judge of said court may practice law, to provide for the payment of sheriff's fees, etc.; the proposed amendment will in substance and effect provide that the deputy solicitor of said county shall perform the same duties in relation to said court and now devolve upon him by law in relation to the circuit court of said county; and that as compensation for such services in said court he shall receive as compensation therefor a salary of fifty dollars per month payable out of the fines, costs and forfeitures inuring to and collected by said court; payment to be made monthly on warrants of the probate judge of said county.

The State of Alabama,
County of Dallas.

Before me, the undersigned notary public in and for said county in said State, personally appeared M. H. Raiford, who being by me first duly sworn, deposes and says: that deponent is the business manager of the Selma Times-Journal, a newspaper published in said county; that the attached notice was duly published in said newspaper once a week for four consecutive weeks, the date of such publications were July 17, July 24, July 31, and August 7, all during year 1927; without cost to said county or State.

M. H. Raiford,
Business Manager.

Sworn and subscribed to before me this 8th day of August, 1927.

J. R. Reece, Jr.,

Notary Public, Dallas County, Alabama.

By Mr. Tompkins:

H. 1098. To amend Sections 677, 678, 680, 681, 682, 683
Code of Alabama, 1923.

Judiciary.

By Mr. Jeter:

H. 1099. To Amend Section 6559 of the Code of Alabama of 1923.

Judiciary.

By Mr. Jeter:

H. 1100. To regulate and fix the fees of Registers and Registers in Chancery.

Judiciary.

By Mr. Jeter:

H. 1101. To require the issuance of Summons on Cross-Bills Filed in all Equity Causes.

Judiciary.

By Mr. Jeter:

H. 1102. To regulate the appointment of a Gurdian ad Litem for infants and insane persons in Counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Local Legislation.

By Mr. Hollis:

H. 1103. To prohibit the State Board of Education to allow the teaching of any text book in any of the schools of the State of Alabama that are supported in part or in whole by the public school fund of the state to teach any denominational sectarian or Evolution theories that are contrary to article 13 Section 263 of the State of Alabama and fix penalties for violation of the same.

Judiciary.

By Mr. Goodwyn:

H. 1104. To appropriate out of the State Treasury, Fifteen Thousand Five Hundred and Ninety-one and 38-100 Dollars (\$15,591.38) to reimburse the City of Montgomery for the paving heretofore done by it and assessed to the property owned by the State of Alabama.

Appropriations.

By Mr. Jordan of Etowah:

H. 1105. To provide for the purchase of the homestead of Emma Sansom Johnson (nee Emma Sansom), which said homestead is located within the corporate limits of Alabama City, Alabama, and to appropriate the sum of Ten Thousand Dollars from the Treasury of the State for the purpose of purchasing said homestead, in order that the State may commemorate and perpetuate the memory of the immortal Emma Sansom. Provided that the municipality or other governing body of said city of Alabama City, Alabama, or of Etowah County, Alabama, appropriate a like sum to be used in purchasing said homestead.

Appropriations.

By Mr. Adcock (With Notice and Proof) :

H. 1106. To amend section 2 of an act entitled "An Act to divide Tallapoosa County, Alabama, into five Commissioners Districts and provide for the election of Commissioners from each of said Districts" Approved September 7, 1923.

Local Legislation.

Notice and Proof H. 1106.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, to amend Sec. 2 of an Act entitled "An Act to divide Tallapoosa County, Alabama, into five Commissioners Districts and provide for the election of the Commissioners from each of said districts," approved Sept. 7, 1923, as follows:

Sec. 2. That District One in said County shall consist of and embrace Beats 1, 2 and 3. That District Two of said County shall consist of and embrace Beats 4, 5 and 17. That District Three of said County shall consist of and embrace Beats 6, 7, 8, 9 and 18. That District Four of said County shall consist of and embrace Beats 11, 14, 15, and 16. That District Five of said County shall consist of and embrace Beats 10, 12 and 13. Said proposed amendment transferring Beat 10 from District 3 to District Five, and Beat 6 from District 4 to District 3.

This June 14th, 1927.

State of Alabama,
Tallapoosa County.

Before me, J. Percy Oliver, Judge of Probate in and for said County in said State, personally appeared T. S. Bugg, Publisher of the Dadeville Spot Cash, a weekly newspaper published in said County, who being first duly sworn, deposes and says that the foregoing and attached notice was published in said newspaper for four consecutive issues, to-wit:

July 14, July 21, July 28, and August 4, 1927.

Thos. S. Bugg, Editor and Publisher.

Subscribed and sworn to before me this 8th day of August, 1927.

J. Percy Oliver,
Judge of Probate.

By Mr. Adcock :

H. 1107. To admit to the Soldier's Home at Mountain Creek certain indigent female relatives of Confederate Veterans.

Soldier's Home.

By Mr. Goode (With Notice and Proof) :

H. 1108. To establish a Board of Revenue for Wilcox County, and for the abolishment of the Court of County Commissioners of said County.

Local Legislation.

Notice and Proof H. 1108.

Notice is hereby given that application will be made to the Legislature of Alabama at its present session to pass a local Act providing in substance as follows:

A BILL

To be entitled "An Act to establish a Board of Revenue for Wilcox County, and for the abolishment of the Court of County Commissioners of said County".

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established a Board of Revenue for Wilcox County consisting of four persons and the president, to be called the Board of Revenue of Wilcox County.

Section 2. At the general election in 1928 and every four years thereafter the five members of the Board of Revenue shall be elected by the qualified voters of each of the five districts of the County as herein provided, and they shall hold office for the term of four years from the first Monday after the second Tuesday in January next after their election and until their successors are elected and qualified. The five Board of Revenue Districts shall be constituted and shall be composed of the beats of said County as now constituted or as the same may hereafter be changed as required by law. The Districts shall be called, respectively, the First, the Second, the Third, the Fourth, and the Fifth District. The First District shall be composed of the following beats as now constituted or as the same may be hereafter changed in boundaries according to law: Camden, Canton Bend, O'Possum Bend, Black's Bend, and Sedan; the Second District shall be composed of the following beats as now constituted or as the same may be hereinafter changed in boundaries according to law: Mt. Hope, Ackerville, Snow Hill, Bonham's, and Allenton; the Third District shall be composed of the following beats as now constituted or as the same may be changed in boundaries according to law: Awlin, Pine Apple, Fox's Mill and Mims; the Fourth District shall be composed of the following beats as now constituted or as the boundaries thereof may be hereafter changed according to law; Lower Peach Tree, Bethel and Clifton; the Fifth District shall be composed of the following beats as now constituted or as the same may be hereafter changed in boundaries according to law: Prairie Bluff, Boiling Springs, Rehoboth and Gees Bend. The members of the Board of Revenue shall be at the time of their election and during their continuance in office qualified electors of Wilcox County, and, in addition, the member of the Board of Revenue from each district shall reside in and be a citizen of the district for which he is elected at the time of election and during his continuance in office. The member of the Board of Revenue from each district shall be elected by the qualified voters of such district. The President of the Board of Revenue shall be elected by the Board of Revenue from its membership at a meeting to be held on the first Monday after the second Tuesday in January, 1929, and shall hold until his successor is elected and qualified.

Section 3. That the Board of Revenue shall have the power and authority to direct and control the property of Wilcox County as it may deem expedient, according to law, and to levy a tax for general purposes and special taxes for particular county purposes, according to the laws of Alabama; to examine, settle and allow accounts and claims chargeable against the county; to audit and settle the accounts of all officers having the care, management, collection or disbursement of money belonging to the county or appropriated to its use and benefit, and may have the books of said officers audited or examined by accountants when it deems same necessary; to have exclusive control of the convict labor of the county; to regulate and control the purchase of stationery, supplies, office furniture, fixtures, typewriters, records, and books for county purposes; to provide for the purchase and payment out of the county funds of the necessary stationery, office furniture, fixtures, typewriters, books, records, supplies and postage for the use of said Board of Revenue in the conduct of its official business; to em-

ploy janitors and other help to care for, look after and protect the Court House and the various offices therein as well as the Court House Square; to provide heat, lights and water for the use of the Court House and jail and to keep the same clean, comfortable and in a sanitary condition; to have telephones installed in the Court House for county business, and to pay for the necessary telephone and telegraph messages about county business; to pay the premium on the bonds of all county officials; and the sole right and authority to bind the county on any contract for the payment of money and the sole right and authority to pay any debt due by the county on any existing lawful contract.

Section 4. That said Board of Revenue shall have all jurisdiction and power which are now or may hereafter be by law vested in the courts of county commissioners of this State and by any special law now vested in the court of county commissioners of Wilcox County, and the several members of the said Board of Revenue shall perform all the duties and services, and exercise all the powers which are or may be required by law of the several members of the Court of County Commissioners.

Section 5. That all General Laws hereafter enacted in relation to the jurisdiction, powers, authority or duties of the county commissioners shall apply to and govern the Board of Revenue of Wilcox County.

Section 6. That the President of said Board of Revenue shall be its presiding officer, and shall sign the minutes of the proceedings of the Board of Revenue, and shall be a member thereof and shall have the rights, privileges, powers and authority, and perform the same duties as the other members thereof, and shall sign all warrants drawn on the County Treasury, and all orders for the payment or disbursement of money or funds of the county, and shall sign all contracts entered into by the Board of Revenue of Wilcox County. It shall be his duty to prepare the order of business and obtain information for the sessions of the Board of Revenue and to see that all orders thereof are properly executed. He shall in addition perform all the duties now required of the Probate Judge as to matters coming before the Court of County Commissioners.

Section 7. That the Judge of Probate of Wilcox County shall be Clerk of the Board of Revenue of Wilcox County, and the Board of Revenue shall fix his compensation, and it shall be the duty of the Clerk of the Board of Revenue to attend the meetings thereof and issue all notices required by it. The Clerk shall, under the direction of said Board of Revenue, keep the minutes and records of the proceedings thereof, in well bound volumes provided for that purpose, said records to be kept in the office of the Judge of Probate of Wilcox County, and to be open at all reasonable hours to the inspection of the citizens of the county and other interested persons; and the Clerk shall perform such other duties and matters as may be required of him by said Board of Revenue. The term of office of the Clerk of said Board of Revenue shall be the same as the term of office of the members of the Board of Revenue.

Section 8. That said Board of Revenue shall hold sessions on the first Tuesday of each month of every year and may continue in session as long as it deems necessary to conduct the business of the county, and may hold special sessions at any time upon the call of the President or three members of the Board of Revenue, entered in writing on the minutes of said Board of Revenue. The sessions of said Board of Revenue shall be held at the Court House of said County.

Section 9. That the Board of Revenue shall keep a correct register of all claims presented against the county showing the name of the claimant, the nature and amount of the claim, and the action of the Board of Revenue thereon, and keep a stub of every warrant or order for the payment of money out of the County Treasury, and these records, together with the minutes of the proceedings and all papers of the Board of Revenue shall be

public records open to the inspection of the public at reasonable hours, when the same are not being used by the Board of Revenue or under its direction.

Section 10. That the members of said Board of Revenue shall each be entitled to Five Dollars per day for each day of actual service rendered, five cents per mile and ferriage for traveling to and from the sittings of said Board of Revenue, and to and from the place where any service is rendered by them, to be paid out of the county treasury on certificates or warrants signed by the President of the Board of Revenue.

Section 11. That before entering upon the discharge of his duties the President of said Board of Revenue shall give a good and sufficient bond, with good and sufficient surety, payable to the County of Wilcox in the penal sum of \$5,000.00 to be filed with and approved by the Judge of Probate of Wilcox County, with condition faithfully to discharge the duties of such office during the time he continues therein or discharges any of the duties thereof, and all premiums on his bond shall be paid out of the county treasury on certificates or warrants signed by the President of the Board of Revenue.

Section 12. That in case of a vacancy in said Board of Revenue, it shall be filled by appointment by the Governor of Alabama, and the person so appointed shall hold office for the remainder of the term of the member of the Board of Revenue in whose place he is appointed.

Section 13. That three members of said Board of Revenue shall constitute a quorum for the transaction of business.

Section 14. That if any section, paragraph, portion or provision of this Act shall be declared unconstitutional or void for any reason, it shall not affect the validity of the remaining paragraphs, sections, provisions or portions.

Section 15. That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 16. That the Court of County Commissioners of Wilcox County, as the same now exists, shall be abolished on the first Monday after the second Tuesday in January, 1929.

Section 10. That this Act shall take effect on the first Monday after the second Tuesday in January, 1929.

PROOF OF PUBLICATION

The State of Alabama,
Wilcox County.

Personally came before me, Pat M. Dannelly, Judge of Probate in said County and State, Carl M. Watts, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden in said County and State, and that the publication of this notice, a copy of which is hereto attached, has been in said paper 4 times as follows: Beginning with Vol. 39 No. 23 on the 9th day of June, 1927, Ending with Vol. 39 No. 26 on the 30th day of June, 1927.

Carl M. Watts.

Sworn to and subscribed before me, this the 29th day of July, 1927.

(Seal) Pat M. Dannelly,
Judge of Probate.

By Mr. Matthews:

H. 1109. To Amend Sections 4010 and 4012, Code of Alabama, 1923, relative to escapes.

Criminal Administration.

By Mr. Matthews (With Notice and Proof) :

H. 1110. Authorizing the Court of County Commissioners or other governing Board of said County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

Local Legislation.

Notice and Proof H. 1110.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of a local bill for Wilcox County substantially as follows:

A BILL

To be entitled An Act authorizing the Court of County Commissioners or other governing body of said county to pay the premiums on bonds of the Circuit Clerk, Sheriff and Treasurer of said County.

Be it enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners or other governing body of Wilcox County is hereby authorized to pay the premium on bonds of the Clerk of the Circuit Court, the Sheriff and the Treasurer of Wilcox County, by warrant drawn on the County Treasurer.

Section 2. This Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

The State of Alabama,
Wilcox County.

Personally came before me, Pat M. Dannelly, Judge of Probate in said County and State, Carl M. Watts, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden in said County and State, and that the publication of this notice, a copy of which is hereto attached, has been in said paper 4 times as follows: Beginning with Vol. 39 No. 29 on the 21st day of July, 1927; Ending with Vol. 39 No. 32 on the 11th day of Aug., 1927.

Carl M. Watts.

Sworn to and subscribed before me, this the 11th day of Aug., 1927.

(Seal)

Pat M. Dannelly,
Judge of Probate.

By Mr. Goodwyn:

H. 1111. Amend Section 3847 of the Code of Alabama.

Judiciary.

By Mr. Moxley (With Notice and Proof) :

H. 1112. To Amend Section 2 of a local Act approved September 19, 1923, entitled an Act to provide additional duties, and confer additional powers on each member of the Court of County Commissioners of Crenshaw County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district; to extend the time now allowed by law to the County Commissioners of Crenshaw County for the

discharge of their official duties, and to fix their salary and mileage.

Local Legislation.

Notice and Proof H. 1112.

NOTICE

Take notice of intention to introduce a bill in the summer session of the Legislature of Alabama which will convene on 7th of June, 1927 for the purpose of amending Section 2, of an Act approved September, 1923, known and entitled an "Act to provide additional duties, confer additional powers on each member of the Court of County Commissioners of Crenshaw County, Alabama, in supervising the construction, maintenance of and upkeep of the roads and bridges in his district; to extend the time now allowed by law to County Commissioners of Crenshaw County for the discharge of their official duties and to fix their salaries and mileage."

The substance of the above amendment shall be for the purpose, allowing additional time not to exceed 48 days in any one year in which to supervise construction, maintenance and upkeep of the roads and bridges in their respective districts.

Respectfully submitted,

J. B. Moxley,

Member Legislature, Crenshaw County.

AFFIDAVIT OF PUBLICATION

I, W. B. Martin, Editor and Manager of the Crenshaw County News, published weekly at Luverne, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof for four consecutive weeks, commencing with the issue dated June 9th, 1927, and ending with the issue dated June 30th, 1927.

W. B. Martin.

Subscribed and sworn to before me this 5th day of July, 1927.

R. T. Simmons,

Judge Probate.

By Mr. Guy:

H. 1113. To amend Section 7287 of the Code of Alabama.

Revision of Laws.

By Mr. Jordan of Etowah:

H. 1114. To provide for the compensation of the Judges of the Juvenile Courts of the State in all counties of the state having a population of less than 75,000.

Judiciary.

By Mr. Guy:

H. 1115. To amend Section 10188 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Morrow:

H. 1116. To require the Tax Collector, Tax Assessor, Sheriff, Probate Judge and Clerk of the Circuit Court and all other County officers in counties having a population of two hundred

thousand or more according to the last or any subsequent federal census, where such officers are paid a salary out of the County Treasury to pay all fees, commissions or charges of court received by them in the course of the administration of their office into the County Treasury, and to vest the property right to such fees, commissions or charges of court in the County paying the salaries of such officers.

Local Legislation.

BILLS ON SECOND READING

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bill and ordered same returned to the House, without recommendation.

(Without Recommendation) :

H. 1086. Authorizing, directing and requiring the exclusive use and employment of residents of the United States and of honorable discharged soldiers, sailors, and marines, including those of the War between the States, and convicts of the State of Alabama, to require the exclusive use of materials of the growth, production or manufacture of the United States in the construction, maintenance and repair of public buildings, highways, bridges, other structures and public works, constructed, maintained or repaired by or under the authority of the State of Alabama, and to require that cement used therein shall be furnished and contained in cotton bags manufactured in the United States.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

H. 874. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

H. 1028. To prohibit whipping, flogging, beating or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

H. 1040. To authorize and empower the Governor to appoint a matron in all penal institutions of the State where women are confined; to prescribe the duties, qualifications and compensation.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on

the following bill and ordered same returned to the House with a favorable report with substitute:

(With substitute):

H. 654. To amend Section 8839 of the Code of Alabama of 1923.

Mr. Deloney, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 968. To further define the term "Lubricating Oil" and to designate the kinds and classes of lubricants upon which a tax of two cents per gallon thereof may be levied and collected under the law.

H. 1026. To further provide for the taxation of persons, firms and corporations doing a telegraph or telephone business or that of operating express companies in the State of Alabama:

H. 1085. To amend Section 12 of the Act entitled an Act "In reference to and to further provide for the general revenue of the State of Alabama, approved July 22, 1927.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 160. In relation to the Educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

S. 247. To amend Section 6739 of the Code of Alabama, 1923.

S. 280. To amend Section 3183 of the Code of 1923.

H. 157. To make an appropriation for the purchase of an oil portrait of Thomas Jefferson, the same to become a part of the historical portrait collection of the State of Alabama.

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by the Sage Land and Improvement Company to the board of trustees

of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of Article 20 of Chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled "An act to amend sections 1861, 1862, and 1863 of the Code of Alabama."

H. 1071. To make appropriation for the erection on the battle-field at Gettysburgh for a monument in perpetuation of the Soldiers from Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

(With amendment):

H. 898. Authorizing, directing and requiring the State Board of Administration to furnish free text books and writing materials to the pupils of Grades One, Two and Three of the Public Schools of the State, and to make an appropriation to pay for the same.

(With amendment):

H. 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, deceased.

(With amendment):

H. 683. To make appropriation to be used by the State Board of Education to aid in the erection, repair and equipment of rural school houses which were destroyed or seriously damaged prior to June 25th, 1927, by fire and where the State Board of Education finds that an emergency is such as defined in this act exists.

Mr. Allen, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1083. To amend section 1255 of the Code of Alabama, 1923, further prescribing the qualifications of those persons who may practice veterinary medicine and surgery in Alabama and to regulate the same.

Mr. Allen, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation:

(Without recommendation) :

H. 1020. To establish, regulate and provide for the government of a sheep department for the State of Alabama, and to appropriate moneys to pay the cost of its operation.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1081. To repeal "An act to provide a better system of road building and construction for the County of Marion," approved on August 22nd, 1919.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendment, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With amendment) :

H. 1079. A Bill to be entitled an Act, to propose an amendment to Section 251 of the Constitution of Alabama and to provide for the submission of said proposed amendment to a vote of the qualified electors of the State of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to Section 251 of the Constitution of Alabama is hereby proposed: Amend Section 251 of the Constitution of Alabama so that same when so amended shall read as follows:

"Section 251. Every bank or banking company shall be required to cease all banking operations within twenty (20) years from the time of its organization and promptly thereafter cease its business; provided the Legislature may, by general law, authorize the extension in perpetuity of charters of existing banks and banking companies, or the incorporation of banks or banking companies in perpetuity, under such conditions, reservations and exceptions as the Legislature may prescribe; but after any bank or banking company which is required to cease to do business, has closed its business, it shall have the corporate capacity to sue and shall be liable to suits until its affairs and liabilities are fully closed."

Section 2. The Constitutional Amendment proposed and set forth in Section 1 of this Act shall be submitted to the qualified electors of the State of Alabama at the general election, for the election of state officers, in November, 1928.

Section 3. Notice of election on said proposed amendment shall be given by publication in a newspaper published in each county of the state for the time and in the manner provided by law.

Section 4. The expenses of the election herein provided for, including the expense of publication of notices, shall be paid out of the State Treasury out of any funds not otherwise appropriated.

The above and foregoing bill proposing an amendment to the Constitution was read a second time at length and placed on the calendar.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with a favorable report:

S. 385. A Bill to be entitled an act, to provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature, an amendment to the Constitution of Alabama authorizing a portion of Choctaw County in said state to levy and collect a tax of five mills in addition to all taxes now authorized.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment is as follows:

"That all that portion of Choctaw County in the State of Alabama, lying south of the Okatuppa Creek from the Tombigbee River up to the north line of Section 21, township 11, thence west to the Mississippi state line, is hereby created a special tax district. The governing body of Choctaw County shall have the right and power to levy and collect for public school purposes, in addition to all other taxes now authorized by law a tax not in excess of one-half of one percentum on all property situated within the tax district hereby created, based upon the valuation of such property in said district, as assessed for state taxation, provided such tax is authorized by a majority of the qualified electors of said district voting upon such proposition at an election called and held for the purpose of authorizing such tax. Such an election may be called at any time by the governing body of said county, and must be called by said governing body whenever said governing body is requested in writing by the governing board of education of said county, and such election must be called by said governing body upon a petition signed

by two hundred or more qualified electors of said district and addressed to the Court of County Commissioners. Such election shall be held and conducted and the results canvassed, as now provided by law for holding and conducting and canvassing the returns of an election to determine whether or not the three mill district school tax shall be levied and collected. The proceeds of the tax hereby authorized shall be used in all respects in accordance with law governing the handling and expenditure of the three mill district school tax."

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the state for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

S. 426. A bill to be entitled an act, to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for state taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition, and to provide for the levy and collection of tax in every county in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for state taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Every county in this state shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law a tax on the property situated therein sufficient to pay the principal and interest falling due in that year, or falling due in any prior year, and remaining unpaid, upon all bonds issued hereafter, including refunding bonds hereafter issued (but such refunding bonds shall mature over a period of not less than fifteen years in such installments as may be provided by law) and the officers of such county now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such tax in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest, and provided further that the tax herein provided for shall be levied only on such property as is assessed for State and County taxation, for the same year. Nothing herein contained shall prevent any county from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such county or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption. Provided that this amendment shall not apply to Marengo county or to Wilcox County or to Talladega County, Alabama.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above and foregoing Bill proposing an amendment to the Constitution was read a second time at length and placed on the calendar.

S. 427. A bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama, so as to fix the debt limitation of all cities, towns, villages, and other municipal corporations of the State of Alabama, to set out the kinds of indebtedness not included in such limitations, and to provide for the levy and collection of a tax in every City, town, village, or other municipal corporation, in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) All cities, towns, villages, and other municipal corporations (except counties) are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding eight per centum of the assessed valuation of the property therein, as the same is assessed for State taxation. Provided, however that cities having a population of not less than forty thousand inhabitants according to the last or any subsequent Federal Census are hereby authorized to become indebted in an amount including present indebtedness not exceeding ten per centum of the assessed valuation of the property therein as the same is assessed for State Taxation. There shall not be included in the above limitation of indebtedness the following classes of indebtedness, to-wit: (a) temporary loans for current expenses to be paid within one year, made in anticipation of the collection of taxes for the current year, and not exceeding one-fourth of the general revenues for the preceding year; (b) indebtedness already or hereafter incurred for acquiring, providing, or constructing public schools and school houses, water works, electric light and gas plants; (c) indebtedness already or hereafter incurred for sewer, street, sidewalk, and other improvements whether of a like or of any different kind, to the extent that the cost thereof has been or is proposed to be assessed against the property benefited thereby; and (d) indebtedness incurred prior to September 1st, 1927, which, at the time it was incurred, was not included within the then existing constitutional limitation, and any obligations to be incurred in refunding such indebtedness.

In ascertaining the amount of indebtedness subject to this limitation, there shall be deducted from the total amount of such indebtedness, sinking funds on hand and applicable solely to the payment of indebtedness subject to said limitation.

(b) Every city, town, village, or other municipal corporation (except counties) shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law, a tax on the property situated therein sufficient to pay the principal and interest falling due in that year or falling due in any prior year and remaining unpaid upon all bonds issued hereafter, including refunding bonds hereafter issued (but such refunding bonds shall mature over a period of not less than fifteen years in such installments as may be provided by law) and the officers of such municipal corporation now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such tax in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any such municipal corporation from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such municipal corporation or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption. Provided that this amendment shall not apply to cities, towns and villages in Wilcox and Marengo Counties.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above and foregoing bill proposing an amendment to the Constitution was read a second time, at length, and placed on the Calendar.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 967. To provide for the extension of the corporate limits of certain municipalities so as to include contiguous territory in which is situated public school buildings used for the benefit of the residents of such municipality.

H. 971. To provide for the election of a County Superintendent of Education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

H. 1019. To amend Section 3005 Code of Alabama 1923.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

S. 362. To provide for the formation of Districts for the building and maintaining of public roads in Baldwin County, Alabama, by the County Commissioners, Board of Revenue, or Body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, lessees for a term of twenty years or longer to be considered as owners; for the giving of notice of said application and the hearing and passing on same by said Board, formation of a Commission for the Road District, consisting of the Board of County Commissioners, or like body, as ex-officio members thereof, and providing for their duties in connection with the plans specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining

and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission; for the payment by the county of the preliminary expense of organization, including advertisement, and assessors for first assessment; for the appointment of a Board of Assessors by said County Commissioners to assess against the lands in said district the amount to be collected for the construction of the road or roads and other expenses not in excess of the improved value of said land by reason of special benefits derived from said improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation; To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment, That at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain on the petition, it must make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seal; that the order of the Board establishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements; for the naming of the district, and that it shall become a body politic and corporate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district; for the taking of oath of office by the Board of Commissioners for the organization of the Board, election of its officers and that they shall receive expenses while engaged on business for the district out of the county. Said amount to be paid out of the funds of the Road Improvement District. They are also authorized to engage the necessary attorneys engineers, and other agents for carrying out the improvements, contemplated, and fix their pay; that as soon as the Commissioners have formulated the plans for the road or roads of the district, and ascertained the

cost thereof they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district; for time of meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal, if necessary by the Board of County Commissioners, and pay to be fixed by the same body of not exceeding \$5.00 per day; for assessment book, manner of assessing, and maximum amount, not exceeding benefits as aforesaid; for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said court; that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal; appeal by aggrieved party on filing affidavit within ten days; for the embracing of other land in the district, if benefited, and proceeding for the inclusion and assessment, which are similar to those for including land in the district as originally formed authorizing the Commissioners to make changes in plans and specifications for the route of the road or construction of laterals, or extensions within, or beyond the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a newspaper, calling on the land owners to appear and show cause if they can, why such changes should not be made, which Court can approve said report from which finding appeal can be taken as provided in Section 14; that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be taken as provided in Section 14; authorizing the commissioners, not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished; that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the district, enter upon its record and order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten percent added for

unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual instalments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus compel the court to comply with this section; that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer; that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collections to be paid over by him to the treasurer of said county, or depository. Also provides for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should assessor fail to enter the assessment on tax book. Such penalty to be \$100.00 in each case; Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners which shall state amount and purpose for which it is issued, and be numbered consecutively in a book to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hands sufficient funds to pay all outstanding warrants bearing a lower number, and no contract or warrant shall be made payable in anything but money; that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution; for the levy of additional assessments when necessary the total amount not to exceed amount

of special benefits before stated; for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in rem and it is immaterial if the ownership of the land is not correctly stated, but it shall have no force, except as against the land. Provides for giving of notice by publication, form of notice and complaint; for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost; provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year; authorizing the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds; giving the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and expend therefor such sums of money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenue raised under this Act, by allowing to said district an equitable portion of the road funds available in the county. If a majority of land owners, or acreage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said pur-

pose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the Court for a hearing of said petition and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petition shall be determined in like manner, and if the court finds that the assessment of benefits in force at the time is unequal, or that it should be equalized or adjusted, the Court shall order a re-assessment of benefits which shall be made, advertised and confirmed in the manner specified in Section nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time, authorizing the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts as may be awarded them, with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in such contract. The amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five percent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor if to the best interest of the District, may purchase material and implements necessary to carry on the work of improvement, employ agents to do it, under the direction of the State Highway, or some other competent engineer, that the Board of Commissioners shall cause the assessments to be made, levied, and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and as assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the overdue interest and

then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decrees and deeds therein shall have the same presumption in favor of their legality, and when all such sums have been paid, the receiver shall be discharged and affairs conducted by the Board of Commissioners; that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie for one month and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be reexamined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed, and filed as a public document; that the Commissioners or assessors shall not be liable to any one for mistakes, errors, or judgment or negligence, but only for wilful misconduct in the discharge of their duties; making it a felony punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners or any other agent or employe, to corruptly use, or dispose of any bond or money derived from the sale thereof, or any fund of such district, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required; that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed in the laying out of roads hereunder; that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights of way for railways, telegraphs, and telephone companies, with the right of paying into the court a sum to be fixed by the court and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages such actions shall be consolidated, if practicable, and one jury shall assess the damages for all; that no appeal shall delay the proceedings for carrying out the improvements and it shall not affect the particular land involved, and if unsuccessful the party appealing shall pay the costs; that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special or adjourned term make any and

all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law; that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any injunction otherwise issued shall be void; that the word Court as herein used unless otherwise specified in that connection, shall be taken to mean the Court of County Commissioners or Board of Revenue and Road Commissioners, or such body by whatever name called supplying the place of the court of county commissioner. The word commissioners refers to district commissioners, unless otherwise indicated; that bonds and coupons issued under and by authority of this Act shall be exempt from all State, county, or municipal taxation, or assessment, direct, or indirect, general or special, whether imposed for purposes of general revenue or otherwise, and the interest thereon shall not be subject to taxation as for income, nor shall said bonds and coupons be subject to taxation when constituting a part of the surplus of any bond, trust company, or other corporation, but when constituting a part of such surplus, shall be deducted from the total assets in order to ascertain the taxable value of such shares. No municipality to be included in district except after election favoring same.

H. 1049. To fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of Seventy-Five thousand people and less than Nine-

ty-Five thousand people according to the last United States Census, or any census which may hereafter be taken.

H. 1066. To require the owner or operator of every cotton gin, and every person, firm or corporation purchasing cotton in Walker County, Alabama, to keep a public record showing date cotton received, by whom bought, name of owner, the number of pounds of seed cotton, and weight and number of the bale after ginned; to provide a penalty for sellers and buyers of cotton who make false representations concerning it:

H. 1073. To fix the compensation of the members of the Court of County Commissioners, Board of Revenue or such other governing body of Elmore County, Alabama.

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

Mr. Adcock, Chairman of the Standing Committee on Pensions, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 390. To amend Section 1 of An Act to amend Sections 3 and 6 of an Act entitled An Act to further provide for and regulate the payment of pensions to Confederate soldiers and sailors and their widows and to make necessary appropriations therefor, approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 363. To amend Section 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 258, and 359, Code of Alabama 1923, and to repeal section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing chapter 18; volume 1, of said Code.

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 1052. To amend Section 5168 of the Code of Alabama of 1923.

Mr. Lovelace, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 178. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, in all counties in the State of Alabama, which now have, or may hereafter have over one hundred thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to wilfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

H. 1056. To place the custody, management and administration of the salt springs and lands granted to the state under the second clause of the sixth section of the Act of Congress of March 2, 1819, under the state Commission of Forestry for state forest purposes.

H. 1057. To amend Section 989 of the Code of Alabama of 1923.

Mr. Johnson, Chairman of the Standing Committee on Insurance and Insurance Companies, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1092. To amend Section 8352 of the Code of Alabama, 1923.

H. 1031. To authorize Departments of the State of Alabama, or state commissions, directly engaging and paying employees out of funds in the custody of such Departments or Commissions, to act or to serve, in their discretion, as agents for employees of their respective departments or commissions to procure or to secure, at the cost of such employees, group insurance, through indemnity policies or otherwise, to individually indemnify employees or their named beneficiaries against loss or damage caused by or consequent upon accidental physical injury or accidental death suffered by such employee while in the discharge of duty or the performance of functions under their respective employments; and to empower such departments or commissions to make rules and regulations to effect the purpose of this act.

Mr. Starnes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1044. Regulating the appointment of election officers in primary elections held for the nomination of party candidates for county public and county party offices in counties in this State having a population of not less than ninety-eight thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census.

Mr. Guy, Chairman of the Standing Committee on Penitentiaries, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation:

(Without Recommendation):

H. 1032. To amend Section 5310 of the Code of Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 271. To amend Section 2984, Code 1923.

Mr. Long, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1048. To amend Section 7006 of the Code of Alabama of 1923.

The above and foregoing bills were severally read a second time and placed on the calendar.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 685 By Mr. Morrow.

H. 1017 By Mr. Stewart of Bibb.

H. 1034 By Mr. Simpson:

H. 1078 By Mr. Ashcraft

Mr. Deloney, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 158 By Mr. Nipper

H. 360 By Mr. Tunstall

H. 608 By Mr. Ware

H. 609 By Mr. Ware

H. 610 By Mr. Ware

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 489 By Mr. Simpson

H. 919 By Mr. Miller of Marengo

S. 214 By Mr. Williams

H. 954 By Mr. Goodwyn

S. 232 By Mr. Williams

S. 240 By Mr. Williams

S. 220 By Mr. Williams

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1047 By Mr. Vickers

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report.

H. 1004 By Mr. Patterson

The above and foregoing bills were severally read a second time and placed on the adverse calendar.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Long, Chairman of the Standing Committee on Rules returned to the House, with an adverse report:

H. J. R. 207.

NOTICES IN WRITING

Notice to take H. 919 from the adverse calendar.

I hereby give notice that on the next Legislative day I will move to take House Bill No. 919 from the adverse calendar and place it on the regular calendar of the House.

A. A. Miller (Marengo).

NOTICE

I hereby give notice that on the next Legislative Day I will move to take from the adverse calendar and place on the regular

calendar for passage Senate Bill No. 89 relating to the relief of C. W. Wilder of Jefferson County, Alabama.

Mark L. Jeter, of Jefferson.

NOTICE

One day's notice is hereby given under Rules 34 of the House that on the next Legislative day the following motion will be made:

"Move that the House Standing Committee on Judiciary be and that Committee hereby is, directed to act on Senate Bill 275 and report same to this House at the next sitting of this House.

Tompkins of Houston.

Mr. Carter, Chairman of the Standing Committee on Military returned to the House, with a favorable report, the following House Joint Resolution:

By Mr. Carter:

H. J. R. 163. Whereas, of the nine classes of officers who served in the World War, eight classes, namely: Regular Officers of the Army, Navy, and Marine Corps; Provisional Officers of the Army, Navy and Marine Corps and Emergency Officers of the Navy and Marine Corps—have been granted by Congress the privileges of retirement for disability, when incurred in line of duty, leaving only the Disabled Emergency Officers of the Army without such retirement privileges, and,

Whereas, an overwhelming number of the members of Congress since the Armistice have promised to correct this injustice to Disabled Emergency Army Officers by the Enactment of Legislation designed to adjust the unfair condition imposed upon this one remaining class of officers.

Be it resolved, That the Legislature of Alabama in regular session convened, heartily endorse the demand for recognition of the equality of service of the other eight classes of officers and the Emergency Army Officers in the proposal to grant retirement privileges to the Disabled Emergency Army Officers upon the same basis and with the same privileges as have been granted to the disabled Officers of all other classes including the disabled Emergency Officers of the Navy and Marine Corps, and,

Be it further resolved, That all members of the Seventieth Congress of the United States be and they are hereby most strongly urged to lend their most active support in securing the enactment of the so-called Tyson-Fitzgerald bill as early as possible in the new Congress, and,

Be it further resolved, That copies of this Resolution be sent to each member of the Congress of the United States from the State of Alabama.

And on motion of Mr. Carter the rules were suspended and the Resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 955. To repeal an Act, entitled "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security, in Jefferson, Morgan, Walker and Etowah Counties," approved March 9, 1901, (Acts 1900-1901, pages 2685 to 2688). in so far as the same relates to or affects any and all counties in this State having a population of forty-five thousand or less according to the last preceding or any subsequent official and published Federal census.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 720. To make an appropriation to the Southern Industrial Institute for the purpose of constructing and equipping buildings at said school and for the maintenance of said institution.

Was read a third time at length and passed.

Yeas, 90; Nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	McAdory	Rogers (Elmore)
Allen	Graves	Martin	Rogers (Mobile)
Anderson	Green	Matthews	St. John
Ashcraft	Grove	Merrill	Sanders (Conecuh)
Bartlett	Gullatt	Miller (Marengo)	Sanders (Pike)
Beebe	Guy	Miller (Sumter)	Sanderson
Brunson	Harwood	Molette	Shivers
Bryant	Hawkins	Monk	Simpson
Burleson	Hightower	Morrow	Smith
Burns	Howard	Moxley	Starnes
Byars	Howell	Mullen	Stewart (Bibb)
Carter	Hubbard	Nipper	Stewart (Calhoun)
Christian	Hughes	Owens	Thompson
Cockrell	Jeter	Parish	Tunstall
Cook	Johnson	Patterson	Vickers
Darden	Jones (Bullock)	Pegues	Waddell
Deloney	Jones (Cleburne)	Pitts	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Edmundson	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edwards	Kirkpatrick	Reeder	Ware
Fite	Langdon	Ringer	Webb
Frey	Lee	Rivers	Weldon
Goode	Lovelace		

H. 480. To amend Sections 10293 and 10300 of the Code of Alabama, 1923.

Was taken up. Mr. Simpson offered the following amendment to the Bill:

Amend H. 480 by striking out the words and figures "and 10300" where they appear in the title of the bill and by striking out section 2 of said bill.

And the amendment was adopted.

Yeas, 74; Nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	Luck	Rivers
Allen	Grove	McAdory	Rogers (Elmore)
Anderson	Gullatt	Martin	Rogers (Mobile)
Ashcraft	Harwood	Matthews	Sanders (Pike)
Bartlett	Hawkins	Merrill	Sanderson
Beebe	Hightower	Miller (Marengo)	Simpson
Bryant	Hubbard	Miller (Sumter)	Smith
Burleson	Hughes	Molette	Stephens
Burns	Jeter	Monk	Stewart (Bibb)
Carter	Johnson	Morrow	Stewart (Calhoun)
Christian	Jones (Bullock)	Mullen	Tompkins
Cockrell	Jones (Cleburne)	Owens	Vickers
Cook	Jordan (Etowah)	Pegues	Waddell
Darden	Jordan (Washington)	Pitts	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Powell	Ware
Edwards	Langdon	Quillin	Webb
Fite	Lawler	Reeder	Weldon
Frey	Lee	Ringer	Winn
Goode	Lovelace		

—74

And the Bill:

H. 480. To amend Sections 10293 and 10300 of the Code of Alabama, 1923.

As amended was read a third time at length and passed.

Yeas, 81; Nays, 5.

Yeas:

Messrs.:

Adcock	Darden	Howell	Miller (Marengo)
Allen	Denson	Hubbard	Miller (Sumter)
Ashcraft	Edmundson	Jeter	Molette
Baldwin	Edwards	Johnson	Monk
Bartlett	Frey	Jones (Bullock)	Morrow
Beebe	Golson	Jones (Cleburne)	Moxley
Bryant	Goode	Jordan (Etowah)	Mullen
Burleson	Goodwyn	Kirkpatrick	Ninper
Burns	Graves	Lee	Norman
Byars	Grove	Lovelace	Parish
Carter	Gullatt	Luck	Patterson
Christian	Harwood	Martin	Pegues
Cockrell	Hawkins	Matthews	Pitts
Cook	Hightower	Merrill	Reeder

Ringer	Sanderson	Stephens	Ward (Geneva)
Rivers	Shepherd	Stewart (Calhoun)	Ward (Tuscaloosa)
Rogers (Elmore)	Shivers	Thompson	Ware
Rogers (Mobile)	Simpson	Tunstall	Webb
St. John	Smith	Vickers	Weldon
Sanders (Conecuh)	Starnes	Waddell	Winn
Sanders (Pike)			

—81

Nays:

Messrs:

Mr. Speaker
Anderson

Cannon

Fite

Hollis

—5

H. 748. To amend Section 7331 of the Code of 1923—Secretary of Court; removal, vacancy, salary, etc.

Was read a third time at length and passed.

Yeas, 78; Nays, 3.

Yeas:

Messrs.:

Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Graves	Martin	Sanders (Pike)
Ashcraft	Green	Matthews	Sanderson
Baldwin	Grove	Merrill	Shepherd
Bartlett	Guy	Miller (Marengo)	Shivers
Beebe	Harwood	Miller (Sumter)	Simpson
Brunson	Hawkins	Molette	Starnes
Burleson	Hightower	Morrow	Stephens
Burns	Hubbard	Moxley	Stewart (Calhoun)
Byars	Hughes	Mullen	Tunstall
Carter	Jeter	Owens	Vickers
Cockrell	Johnson	Parish	Waddell
Cook	Jones (Bullock)	Patterson	Wallace
Darden	Jones (Cleburne)	Pitts	Ward (Geneva)
Deloney	Jordan (Etowah)	Reeder	Ward (Tuscaloosa)
Denson	Jordan (Washington)	Ringer	Webb
Edmundson	Langdon	Rivers	Weldon
Edwards	Lee	Rogers (Elmore)	Winn
Frey	Lovelace		

—78

Nays:

Messrs.:

Cannon

Fite

Hollis

—3

H. 502. To amend section 6996 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 74; Nays, 0.

Yeas:

Messrs.:

Adcock	Ashcraft	Beebe	Burns
Allen	Baldwin	Bryant	Byars
Anderson	Bartlett	Burleson	Cannon

Carter	Hightower	Miller (Marengo)	Rogers (Mobile)
Cockrell	Hollis	Miller (Sumter)	Sanders (Pike)
Cook	Howard	Molette	Sanderson
Darden	Hubbard	Monk	Simpson
Deloney	Hughes	Morrow	Starnes
Denson	Jeter	Moxley	Stephens
Edmundson	Johnson	Mullen	Stewart (Calhoun)
Edwards	Jones (Bullock)	Nipper	Thompson
Fite	Jones (Cleburne)	Parish	Tompkins
Frey	Jordan (Etowah)	Patterson	Vickers
Golson	Jordan (Washington)	Pitts	Waddell
Goode	Lee	Quillin	Ward (Geneva)
Goodwyn	Luck	Reeder	Ward (Tuscaloosa)
Grove	McAdory	Rivers	Ware
Harwood	Martin	Rogers (Elmore)	Weldon
Hawkins	Merrill		

—74

H. 818. To propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour Counties to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Was taken up. Mr. Monk offered the following amendment to the Bill:

Amend H. 818 by striking from the caption of said Bill the words "and Barbour Counties" and inserting in lieu thereof the word "County" and by striking from Section 1 of said bill lines 3 and 4 the words "and Baker Hill School District 28 in Barbour County."

And the amendment was adopted.

Yeas, 94; Nays, 0.

Yeas:

Messrs.:

Adcock	Edwards	Jones (Bullock)	Owens
Allen	Fite	Jones (Cleburne)	Parish
Anderson	Frey	Jordan (Etowah)	Patterson
Christian	Golson	Jordan (Washington)	Pegues
Bartlett	Goode	Kirkpatrick	Pitts
Baldwin	Goodwyn	Langdon	Powell
Beebe	Graves	Lee	Quillin
Brunson	Green	Lovelace	Reeder
Bryant	Grove	Luck	Ringer
Burleson	Gullatt	McAdory	Rivers
Burns	Guy	Martin	Rogers (Elmore)
Byars	Harwood	Matthews	Rogers (Mobile)
Cannon	Hawkins	Merrill	Sanderson
Carter	Hightower	Miller (Marengo)	Shepherd
Christian	Hollis	Miller (Sumter)	Shivers
Cockrell	Howard	Molette	Simpson
Cook	Howell	Monk	Smith
Darden	Hubbard	Morrow	Starnes
Deloney	Hughes	Moxley	Stephens
Denson	Jeter	Mullen	Stewart (Calhoun)
Edmundson	Johnson	Nipper	Thompson

Tompkins
Tunstall
Vickers

Waddell
Wallace
Ward (Geneva)

Ward (Tuscaloosa)
Ware

Webb
Weldon

—94

And the Bill:

H. 818. A Bill to be entitled an Act to propose an amendment to the Constitution of Alabama to permit certain school districts in Dale and Barbour Counties to levy and collect for school purposes a tax of ten mills in addition to all taxes now authorized.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to wit: Midland City School District No. 15 in Dale County, Arifton School District No. 50 in Dale County, and Baker Hill School District No. 28 in Barbour County shall each have the right and power by a majority vote of the qualified electors of such districts voting at an election held for that purpose to levy and collect for public school purposes including the payment of indebtedness a tax not to exceed ten mills any one year in addition to all other taxes now authorized by law. The election in such districts to determine whether or not such tax shall be levied shall be called, held and conducted as now provided by law for calling and conducting an election to determine whether or not the three mill district school tax shall be levied and collected, and the laws governing the handling and the expenditure of the proceeds of the ten mill tax herein provided for shall be in all respects in accordance with the law governing the handling and the expenditure of the three mill district school tax.

Section 2. This Amendment shall be submitted to the qualified voters of the State at the General Election to be held in 1928.

As amended was read a third time at length and passed.

. Yeas, 96 Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Bryant
Burleson
Burns
Byars
Cannon
Carter
Christian

Cockrell
Cook
Darden
Deloney
Denson
Edmundson
Edwards
Fite
Frey
Golson
Goode
Goodwyn
Graves
Green
Grove

Gullatt
Harwood
Hawkins
Hightower
Hollis
Howard
Howell
Hubbard
Hughes
Jeter
Johnson
Jones (Bullock)
Jones (Cleburne)
Jordan (Etowah)
Jordan (Washington)

Kirkpatrick
Langdon
Lee
Lovelace
Luck
McAdory
Martin
Matthews
Merrill
Miller (Marengo)
Miller (Sumter)
Molette
Monk
Morrow
Moxley

Mullen	Reeder	Simpson	Vickers
Nipper	Ringer	Smith	Waddell
Norman	Rivers	Starnes	Wallace
Owens	Rogers (Elmore)	Stephens	Ward (Geneva)
Patterson	Rogers (Mobile)	Stewart (Bibb)	Ward (Tuscaloosa)
Pegues	Sanders (Pike)	Stewart (Calhoun)	Ware
Pitts	Sanderson	Thompson	Webb
Powell	Shepherd	Tompkins	Weldon
Quillin	Shivers	Tunstall	Winn

—96

Which was a three fifths vote of the whole number elected to the House.

H. 717. To designate the Goldenrod as the State Flower of Alabama.

Was read a third time at length and passed.

Yeas, 104; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Lovelace	Rogers (Elmore)
Adcock	Goodwyn	Luck	Rogers (Mobile)
Allen	Graves	McAdory	St. John
Anderson	Green	Martin	Sanders (Conecuh)
Ashcraft	Grove	Matthews	Sanders (Pike)
Baldwin	Gullatt	Merrill	Sanderson
Bartlett	Guy	Miller (Marengo)	Shepherd
Beebe	Hampton	Miller (Sumter)	Shivers
Brunson	Harwood	Molette	Simpson
Bryant	Hawkins	Monk	Smith
Burleson	Hightower	Morrow	Starnes
Burns	Hollis	Moxley	Stephens
Byars	Howard	Mullen	Stewart (Bibb)
Cannon	Howell	Nipper	Stewart (Calhoun)
Carter	Hubbard	Norman	Thompson
Christian	Hughes	Owens	Tompkins
Cockrell	Jeter	Parish	Tunstall
Cook	Johnson	Patterson	Vickers
Darden	Jones (Bullock)	Pegues	Waddell
Deloney	Jones (Cleburne)	Pitts	Wallace
Denson	Jordan (Etowah)	Poole	Ward (Geneva)
Edmundson	Jordan (Washington)	Powell	Ward (Tuscaloosa)
Edwards	Kirkpatrick	Quillin	Ware
Fite	Langdon	Reeder	Webb
Frey	Lawler	Ringer	Weldon
Golson	Lee	Rivers	Winn

—104

H. 718. To designate the bird commonly called the Yellow-hammer as the State Bird.

Was read a third time at length and passed.

Yeas, 102; Nays, 2.

Yeas:**Messrs.:**

Mr. Speaker	Goode	Lovelace	Rogers (Mobile)
Adcock	Goodwyn	Luck	St. John
Allen	Graves	McAdory	Sanders (Conecuh)
Anderson	Green	Martin	Sanders (Pike)
Ashcraft	Grove	Matthews	Sanderson
Baldwin	Gullatt	Merrill	Shepherd
Bartlett	Guy	Miller (Marengo)	Shivers
Beebe	Hampton	Miller (Sumter)	Simpson
Brunson	Harwood	Molette	Smith
Bryant	Hawkins	Monk	Starnes
Burleson	Hightower	Morrow	Stephens
Burns	Hollis	Mullen	Stewart (Bibb)
Byars	Howard	Nipper	Stewart (Calhoun)
Cannon	Howell	Norman	Thompson
Carter	Hubbard	Owens	Tompkins
Christian	Hughes	Parish	Tunstall
Cockrell	Jeter	Patterson	Vickers
Cook	Johnson	Pegues	Waddell
Darden	Jones (Bullock)	Pitts	Wallace
Deloney	Jones (Cleburne)	Poole	Ward (Geneva)
Denson	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Edmundson	Jordan (Washington)	Quillin	Ware
Edwards	Kirkpatrick	Ringer	Webb
Fite	Langdon	Rivers	Weldon
Frey	Lawler	Rogers (Elmore)	Winn
Golson	Lee		

—102

Nays:—Messrs. Moxley and Reeder—2.**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the Bill.

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges

and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this Act, except such laws pertaining to revenue.

And said bill, H. 391, as thus amended, by the report of the Conference Committee, was again read a third time at length and passed by the Senate.

And returns same herewith to the House.

J. E. Speight,
Secretary.

On motion of Mr. Simpson, all House Bills passed by the House today were ordered sent forthwith to the Senate without Engrossment.

RECESS

On motion of Mr. Vickers the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived the House reconvened.

BILLS ON THIRD READING

H. 496. To amend section 6574 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 73; Nays, 0.

Yeas:

Messrs:

Mr. Speaker
Adcock
Allen
Anderson
Baldwin
Bartlett
Beebe

Brunson
Bryant
Cannon
Carter
Christian
Cockrell
Cook

Darden
Deloney
Denson
Edwards
Fite
Frey
Goode

Goodwyn
Green
Grove
Harwood
Hawkins
Hightower
Hollis

Howell	Miller (Marengo)	Pitts	Smith
Hughes	Miller (Sumter)	Poole	Stephens
Johnson	Molette	Powell	Stewart (Calhoun)
Jones (Cleburne)	Monk	Quillin	Thompson
Jordan (Etowah)	Moxley	Rankin	Tompkins
Jordan (Washington)	Mullen	Rivers	Vickers
Kirkpatrick	Nipper	Rogers (Elmore)	Waddell
Langdon	Norman	Rogers (Mobile)	Ward (Tuscaloosa)
Lee	Owens	Sanders (Pike)	Webb
Lovelace	Parish	Sanderson	Weldon
McAdory	Pegues	Simpson	Winn
Matthews			

—73

H. 478. To amend Section 6129 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 62; Nays, 6.

Yeas:

Messrs.:

Mr. Speaker	Goode	Luck	Sanders (Pike)
Adcock	Goodwyn	Matthews	Sanderson
Allen	Grove	Merrill	Shepherd
Baldwin	Hightower	Miller (Marengo)	Simpson
Bartlett	Hollis	Molette	Smith
Beebe	Howard	Monk	Starnes
Brunson	Howell	Mullen	Stewart (Calhoun)
Bryant	Hubbard	Norman	Thompson
Burns	Johnson	Parish	Tompkins
Byars	Jones (Cleburne)	Pitts	Vickers
Cannon	Jordan (Etowah)	Powell	Waddell
Cook	Jordan (Washington)	Ringer	Ward (Tuscaloosa)
Darden	Kirkpatrick	Rivers	Ware
Deloney	Langdon	Rogers (Elmore)	Webb
Denson	Lee	Rogers (Mobile)	Weldon
Edwards	Lovelace		

—62

Nays:

Messrs.:

Cockrell	Jeter	Quillin	Winn
Frey	Pegues		

—6

H. 493. To amend Section 865 of the Code of Alabama, 1923.

Was taken up. Mr. Ware moved that the bill, H. 493, be postponed until the Forty-fourth Legislative day and the motion to postpone prevailed.

Yeas, 50; Nays, 37.

Yeas:

Messrs.:

Adcock	Bartlett	Burleson	Darden
Allen	Beebe	Burns	Deloney
Anderson	Brunson	Cannon	Denson
Baldwin	Bryant	Christian	Edwards

Frey	Jones (Bullock)	Monk	Smith
Golson	Jordan (Washington)	Nipper	Starnes
Hawkins	Kirkpatrick	Parish	Thompson
Hightower	Lee	Pegues	Tompkins
Howard	McAdory	Powell	Waddell
Hubbard	Matthews	Quillin	Ware
Hughes	Miller (Marengo)	Ringer	Webb
Jeter	Miller (Sumter)	Rogers (Elmore)	Weldon
Johnson	Molette		

—50

*Nays:**Messrs.:*

Mr. Speaker	Grove	Martin	Sanders (Pike)
Byars	Guy	Merrill	Sanderson
Carter	Hampton	Moxley	Shepherd
Cockrell	Harwood	Mullen	Simpson
Cook	Hollis	Norman	Stewart (Calhoun)
Edmundson	Howell	Rankin	Vickers
Fite	Jones (Cleburne)	Rivers	Ward (Geneva)
Goode	Jordan (Etowah)	Rogers (Mobile)	Ward (Tuscaloosa)
Goodwyn	Lovelace	Sanders (Conecuh)	Winn
Green			

—37

S. 296. To provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary said Committee amendment being as follows:

Amend Section 3 of Senate bill 296 by inserting the word "twelve" in lieu of the word "six."

Amend the bill by adding thereto the following section:

"Section 6. The Code Commissioner shall incorporate in said Code all the changes agreed upon by the Joint Recess Committee on Education."

And on motion of Mr. Pegues the amendment reported by the Standing Committee on Judiciary was laid on the table.

And the bill,

S. 296. To provide for the revision, coification, digesting and promulgation of the public statutes of Alabama relating to education.

Was read a third time at length and passed.

Yeas, 81; Nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Bartlett	Byars	Deloney
Adcock	Beebe	Cannon	Denson
Allen	Brunson	Carter	Edwards
Anderson	Bryant	Cockrell	Fite
Ashcraft	Burleson	Cook	Frey
Baldwin	Burns	Darden	Goode

Goodwyn	Jordan (Etowah)	Parish	Simpson
Green	Jordan (Washington)	Patterson	Smith
Grove	Lee	Pegues	Starnes
Guy	Lovelace	Pitts	Stephens
Harwood	McAdory	Quillin	Stewart (Calhoun)
Hightower	Matthews	Rankin	Thompson
Hollis	Merrill	Reeder	Tompkins
Howard	Miller (Sumter)	Rivers	Vickers
Howell	Molette	Rogers (Elmore)	Waddell
Hubbard	Monk	Rogers (Mobile)	Ward (Tuscaloosa)
Hughes	Morrow	Sanders (Conecuh)	Ware
Jeter	Mullen	Sanders (Pike)	Webb
Jones (Bullock)	Nipper	Sanderson	Weldon
Jones (Clebune)	Owens	Shepherd	Winn

—81

H. 385. To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and to appropriate sufficient funds to pay the expenses incurred therein.

Was taken up. The question was upon the adoption of the Substitute reported by the Standing Committee on Judiciary said Committee Substitute being as follows:

COMMITTEE SUBSTITUTE TO H. 385

A Bill to be entitled An Act to provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and the General and Local Acts of the Legislature of 1927, and to appropriate sufficient funds to pay the expenses incurred therein.

Be it enacted by the Legislature of Alabama:

Sec. 1. That the Supreme Court of the State of Alabama, is hereby authorized, empowered and directed to select and appoint a competent person to be called and designated Index Commissioner whose duty it shall be to compile a full, complete and accurate index to the four volumes of the Code of Alabama of 1923.

Sec. 2. Such Index Commissioner shall compile a full, complete, accurate and systematic index to the four volumes of the Code of Alabama of 1923, in alphabetical arrangement of all the various subjects contained therein, and each subject and section shall be thus indexed, and said index shall also contain a word index referring to and using the word ordinarily used expressive of the subject treated, and each reference shall be to the various sections of the Code and the pages thereof, separately; the figures designating sections and those referring to pages being in different type:

Sec. 3. The Secretary of State shall supply the said index commissioner with stationery necessary to the preparation of said index, and with the four volumes of the Code of Alabama of 1923;

Sec. 4. In case such Index Commissioner shall die, resign or for any reason become unable to execute the duties herein required, then the State Official herein authorized to appoint the original Index Commissioner is hereby authorized and empowered to select and appoint his successor, and such person, when so appointed, shall have all the rights and powers and be required to execute the duties herein imposed upon the original Index Commissioner;

Sec. 5. The Index Commissioner shall submit to the said Supreme Court of Alabama, for its approval, the general method and form of index; but, the said Court shall not be required to verify the references, the Index Commissioner being responsible for the accuracy thereof;

Sec. 6. There shall be printed and bound under specifications and contract made and let by the State Board of Administration, a sufficient number of volumes of such index to supply the demand, and copies thereof shall be furnished free of charge to the State and county officials of the State of Alabama who are now entitled to receive free of charge the Code of Alabama. The State Board of Administration shall also fix the price at which said index shall be sold and the amounts realized from the sale thereof shall be paid into the general fund of the State Treasury of the State of Alabama:

Sec. 7. The Index Commissioner shall receive from the State of Alabama for his services a sum not to exceed Three Thousand (\$3,000) dollars, to be fixed by the Supreme Court, and which sum shall be payable at the time in such amounts of installments as may be prescribed by the Chief Justice of the Supreme Court of Alabama who shall draw his warrants in favor of said Index Commissioner on the State Treasury of the State of Alabama accordingly. No additional sum shall be allowed or paid to such Index Commissioner for clerical or other assistance:

Sec. 8. There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of said Three Thousand (\$3,000) Dollars, the compensation for said Index Commissioner and to be paid out as prescribed in Sec. 7 of this Act; and also, such further and additional sum as may be required by the said State Board of Administration for the printing and binding of said index:

Sec. 9. The Index Commissioner shall superintend the publication and editing of the index herein provided for, and shall read the proof and compare the same with the original manuscript filed with the Supreme court of the State of Alabama:

Sec. 10. In case the Index Commissioner shall die, resign or from any cause become unable to execute the duties herein required, without having received compensation for the work performed by him in this behalf, then the value of such work shall be ascertained and declared by the State Board of Administration and the sum due therefor be paid to said Index Commissioner or his personal representative as the case may be, by the Supreme Court as provided in Section 7 of this Act. The Index Commissioner herein provided for shall also, in the manner herein provided, prepare a full, complete and accurate index to the general and special acts of the Legislature of Alabama of 1927, which index shall be, by said Commissioner, presented to the printer or publisher who shall print and bind said general and special acts of the Legislature of Alabama of 1927, and which said index to the said acts of the Legislature shall be incorporated as a supplement to the index to the Code of Alabama herein provided for, and published as a part of said Code index:

Sec. 11. This Act shall be effective immediately upon its approval by the Governor.

And on motion of Mr. Goodwyn the Substitute reported by the Standing Committee on Judiciary was adopted.

Yeas, 70; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lovelace	Ringer
Adcock	Goode	McAdory	Rivers
Allen	Goodwyn	Martin	Rogers (Elmore)
Baldwin	Graves	Matthews	Rogers (Mobile)
Bartlett	Green	Merrill	Sanders (Conecuh)
Beebe	Grove	Miller (Marengo)	Sanders (Pike)
Brunson	Guy	Miller (Sumter)	Sanderson
Bryant	Harwood	Moxley	Shepherd
Burleson	Hightower	Mullen	Simpson
Burns	Howard	Norman	Smith
Byars	Hubbard	Owens	Starnes
Cannon	Jones (Bullock)	Parish	Stewart (Calhoun)
Carter	Jones (Cleburne)	Patterson	Vickers
Cockrell	Jordan (Etowah)	Pitts	Ward (Geneva)
Cook	Jordan (Washington)	Poole	Ware
Darden	Kirkpatrick	Powell	Webb
Denson	Langdon	Rankin	Weldon
Edwards	Lee		

—70

And the bill:

H. 385. To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and to appropriate sufficient funds to pay the expenses incurred therein.

As amended by the Substitute reported by the Standing Committee on Judiciary was read a third time at length and passed.
Yeas, 75; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lovelace	Rogers (Elmore)
Adcock	Goode	McAdory	Rogers (Mobile)
Allen	Goodwyn	Martin	Sanders (Conecuh)
Baldwin	Graves	Matthews	Sanders (Pike)
Bartlett	Green	Merrill	Sanderson
Beebe	Grove	Miller (Marengo)	Shepherd
Brunson	Gullatt	Miller (Sumter)	Simpson
Bryant	Harwood	Molette	Smith
Burleson	Hightower	Monk	Starnes
Burns	Hcllis	Moxley	Stephens
Byars	Howard	Mullen	Stewart (Calhoun)
Cannon	Hubbard	Norman	Tompkins
Carter	Hughes	Owens	Vickers
Cockrell	Jeter	Parish	Waddell
Cook	Johnson	Patterson	Ward (Geneva)
Darden	Jones (Bullock)	Pitts	Webb
Edmundson	Jones (Clebune)	Quillin	Weldon
Edwards	Jordan (Washington)	Rankin	Winn
Fite	Lee	Ringer	

—75

H. 725. To make appropriation to the Alabama Polytechnic Institute in lieu of certain other appropriations and revenues the benefit of which said Alabama Polytechnic Institute has heretofore received or secured.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations said Committee amendment being as follows:

Amend Section 5 of House Bill 725 to read as follows:

"Provided that the total appropriations embraced in this bill shall not exceed the total appropriation for the past quadrennium for the same purpose."

And on motion of Mr. Moxley the amendment reported by the Standing Committee on appropriations was laid on the table.

And the bill,

H. 725. To make appropriation to the Alabama Polytechnic Institution in lieu of certain other appropriations and revenues, the benefit of which said Alabama Polytechnic Institute has heretofore received or secured.

Was read a third time at length and passed.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Anderson	Beebe	Burleson
Adcock	Baldwin	Brunson	Burns
Allen	Bartlett	Bryant	Byars

Cannon	Grove	Martin	Rogers (Elmore)
Carter	Guy	Matthews	Rogers (Mobile)
Christian	Harwood	Merrill	Sanders (Pike)
Cockrell	Hightower	Miller (Marengo)	Sanderson
Cook	Hollis	Miller (Sumter)	Shepherd
Darden	Howard	Molette	Simpson
Deloney	Hubbard	Monk	Smith
Denson	Hughes	Morrow	Starnes
Edmundson	Jeter	Moxley	Stephens
Edwards	Jones (Cleburne)	Mullen	Stewart (Calhoun)
Fite	Jordan (Etowah)	Nipper	Thompson
Frey	Jordan (Washington)	Norman	Tompkins
Golson	Kirkpatrick	Owens	Vickers
Goode	Langdon	Parish	Ward (Tuscaloosa)
Goodwyn	Lee	Patterson	Webb
Graves	Lovelace	Pegues	Weldon
Green	McAdory	Pitts	Winn

—80

H. 960. To adopt the code of laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927 (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama.

Was read a third time at length and passed.

Yeas, 80; Nays, 0.

Yeas:

Messrs:

Mr. Speaker

Adcock

Allen

Anderson

Baldwin

Bartlett

Beebe

Brunson

Bryant

Burns

Byars

Cannon

Carter

Cockrell

Cook

Deloney

Denson

Edmundson

Edwards

Fite

Frey

Goode

Goodwyn

Graves

Green

Grove

Hampton

Harwood

Hightower

Howard

Howell

Hughes

Jeter

Johnson

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Langdon

Lee

Lovelace

Luck

McAdory

Martin

Matthews

Merrill

Miller (Marengo)

Molette

Monk

Moxley

Mullen

Norman

Owens

Parish

Patterson

Pegues

Quillin

Rankin

Ringer

Rivers

Rogers (Elmore)

Rogers (Mobile)

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shepherd

Simpson

Smith

Starnes

Stephens

Stewart (Calhoun)

Tompkins

Vickers

Wallace

Ward (Tuscaloosa)

Ware

Webb

Weldon

Winn

—80

H. 797. For the relief of B. L. Marshall and to appropriate for the said B. L. Marshall the sum of fifteen hundred dollars, who was permanently disabled while on active duty with the highway department of the State of Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations, said Committee amendment being as follows:

Amend Sec. 1 of said bill by striking said Section in toto and inserting in lieu thereof the following:

Sec. 1. That from the Highway funds of the State of Alabama, there is hereby appropriated the sum of fifteen hundred dollars for the relief of the said B. L. Marshall.

And the amendment reported by the Standing Committee on appropriations was adopted.

Yeas, 77; Nays, 0.

Yeas:

Messrs:

Adcock	Goode	Martin	Rogers (Elmore)
Allen	Goodwyn	Matthews	Rogers (Mobile)
Anderson	Graves	Merrill	St. John
Baldwin	Green	Miller (Marengo)	Sanders (Conecuh)
Beebe	Grove	Miller (Sumter)	Sanders (Pike)
Brunson	Hampton	Molette	Sanderson
Burleson	Harwood	Monk	Shepherd
Burns	Hightower	Moxley	Simpson
Cannon	Howard	Mullen	Smith
Carter	Howell	Nipper	Starnes
Christian	Hughes	Norman	Stephens
Cockrell	Johnson	Owens	Stewart (Calhoun)
Cook	Jones (Bullock)	Parish	Thompson
Darden	Jones (Cleburne)	Patterson	Tunstall
Deloney	Jordan (Etowah)	Pitts	Waddell
Denson	Jordan (Washington)	Powell	Ward (Geneva)
Edmundson	Langdon	Quillin	Ward (Tuscaloosa)
Edwards	Lovelace	Ringer	Weldon
Fite	McAdory	Rivers	Winn
Frey			

—77

And the bill,

H. 797. For the relief of B. L. Marshall and to appropriate for the said B. L. Marshall the sum of fifteen hundred dollars, who was permanently disabled while on active duty with the highway department of the State of Alabama.

As amended by the amendment reported by the Standing Committee on Appropriations.

Was read a third time at length and passed.

Yeas, 80; Nays, 0.

Yeas:**Messrs.:**

Allen	Goode	Martin	Rogers (Elmore)
Anderson	Goodwyn	Matthews	Rogers (Mobile)
Bartlett	Graves	Merrill	St. John
Brunson	Green	Miller (Marengo)	Sanders (Conecuh)
Bryant	Grove	Miller (Sumter)	Sanders (Pike)
Burleson	Gullatt	Molette	Sanderson
Burns	Harwood	Monk	Shepherd
Cannon	Hightower	Morrow	Simpson
Carter	Howard	Moxley	Smith
Christian	Hughes	Mullen	Starnes
Cockrell	Jeter	Nipper	Stephens
Cook	Johnson	Norman	Stewart (Calhoun)
Darden	Jones (Bullock)	Owens	Thompson
Deloney	Jones (Cleburne)	Parish	Tompkins
Denson	Jordan (Etowah)	Patterson	Tunstall
Edmundson	Jordan (Washington)	Pegues	Vickers
Edwards	Langdon	Pitts	Ward (Geneva)
Fite	Lovelace	Quillin	Webb
Frey	Luck	Ringer	Weldon
Golson	McAdory	Rivers	Winn

—80

H. 962. For the relief of persons suffering damage caused by the breaking of the States dam at Speigner, Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on appropriations, said Committee amendment being as follows:

Amend House Bill Number 962 by striking out the words five thousand dollars where they occur therein and inserting in lieu thereof the words four thousand dollars.

And on motion of Mr. Rogers of Elmore the amendment reported by the Standing Committee on Appropriations was adopted.

Yeas, 81; Nays, 0.

Yeas:**Messrs:**

Adcock	Christian	Harwood	Lee
Allen	Cockrell	Hawkins	Lovelace
Anderson	Darden	Hightower	Luck
Ashcraft	Deloney	Howard	McAdory
Baldwin	Denson	Howell	Martin
Bartlett	Edwards	Hubbard	Matthews
Beebe	Frey	Hughes	Merrill
Brunson	Golson	Jeter	Miller (Marengo)
Bryant	Goode	Johnson	Miller (Sumter)
Burleson	Goodwyn	Jones (Bullock)	Molette
Burns	Graves	Jones (Cleburne)	Monk
Byars	Green	Jordan (Etowah)	Moxley
Cannon	Grove	Jordan (Washington)	Mu'llen
Carter	Gullatt	Langdon	Nipper

Norman	Rogers (Elmore)	Simpson	Ward (Geneva)
Owens	Rogers (Mobile)	Smith	Ward (Tuscaloosa)
Parish	Sanders (Pike)	Starnes	Ware
Patterson	Sanderson	Stephens	Webb
Pitts	Shepherd	Tompkins	Weldon
Ringer	Shivers	Vickers	Winn
Rivers			

—81

And the bill:

H. 962. For the relief of persons suffering damage caused by the breaking of the State's dam at Speigner, Alabama.

As amended by the amendment reported by the Standing Committee on Appropriation, was read a third time at length and passed.

Yeas, 81; Nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	McAdory	Sanders (Conecuh)
Allen	Graves	Martin	Sanders (Pike)
Anderson	Green	Matthews	Sanderson
Baldwin	Grove	Merrill	Shepherd
Bartlett	Harwood	Miller (Marengo)	Simpson
Beebe	Hawkins	Monk	Smith
Brunson	Hightower	Moxley	Starnes
Burns	Howard	Mullen	Stephens
Byars	Howell	Nipper	Stewart (Calhoun)
Cannon	Hughes	Owens	Thompson
Carter	Jeter	Parish	Tompkins
Cockrell	Johnson	Patterson	Tunstall
Darden	Jones (Bullock)	Pegues	Vickers
Deloney	Jones (Cleburne)	Pitts	Waddell
Denson	Jordan (Etowah)	Quillin	Ward (Geneva)
Edmundson	Jordan (Washington)	Ringer	Ward (Tuscaloosa)
Edwards	Kirkpatrick	Shivers	Ware
Fite	Langdon	Rogers (Elmore)	Webb
Frey	Lovell	Rogers (Mobile)	Weldon
Golson	Luck	St. John	Winn
Goode			

—81

H. 365. To repeal Section 9519 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 71; Nays, 0.

Yeas:

Messrs.:

Adcock	Carter	Goodwyn	Hubbard
Allen	Cockrell	Graves	Jeter
Baldwin	Cook	Green	Johnson
Bartlett	Darden	Grove	Jones (Bullock)
Beebe	Deloney	Harwood	Jones (Cleburne)
Brunson	Edwards	Hightower	Jordan (Etowah)
Bryant	Fite	Hollis	Jordan (Washington)
Burns	Frey	Howard	Kirkpatrick
Cannon	Goode	Howell	Langdon

Lee	Nipper	Rogers (Elmore)	Thompson
Lovelace	Owens	Rogers (Mobile)	Tompkins
Luck	Parish	Sanders (Conecuh)	Vickers
McAdory	Pegues	Sanders (Pike)	Ward (Geneva)
Merrill	Pitts	Simpson	Ward (Tuscaloosa)
Miller (Sumter)	Quillin	Smith	Ware
Monk	Reeder	Starnes	Webb
Moxley	Ringer	Stephens	Weldon
Mullen	Rivers	Stewart (Calhoun)	

—71

H. 673. To make an appropriation of eight thousand two hundred thirty-five (\$8,235.88) dollars and eighty-eight cents out of the State treasury to the county board of education of Washington County to cover the loss sustained through the burning of the public school building at Chatom on the first day of April, 1924.

Was taken up. The question was upon the adoption of the Substitute reported by the Standing Committee on Appropriations said Committee Substitute being as follows:

Substitute H. 673.

A Bill to be entitled an Act, to authorize the State Board of Administration of Alabama to pay out of the Insurance Fund, to the County Board of Education of Washington County, the sum of Six Thousand One Hundred Seventy-seven (\$6,177.00) Dollars and 00/100, to cover the loss sustained through the burning of the public school building at Chatom on the first day of April, 1924.

Whereas, the public school building then under construction at Chatom, Washington County, Alabama, was destroyed by fire on the first day of April, 1924, which was before the State Board of Administration had promulgated rules and regulations requiring county boards of education to report public school properties for insurance purposes; and,

Whereas, the board of education of said county was therefore not responsible for the failure to report the said property for insurance; and,

Whereas, the said county board of education of said county sustained a loss of Six Thousand, One Hundred Seventy-seven (\$6,177.00) Dollars and 00/100, through said fire; now, therefore,

Be it Enacted by the Legislature of Alabama:

Section 1. That the State Board of Administration of Alabama be, and the same is hereby authorized and directed to pay out of the State Insurance Fund, to the County Board of Education of Washington County, the sum of Six Thousand One Hundred Seventy-seven (\$6,177.00) Dollars and 00/100 to cover the loss sustained by the destruction of the public school building at Chatom, which was burned on the first day of April, 1924, while the said building was in course of construction.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall be effective on its approval by the Governor.

And the Substitute reported by the Standing Committee on Appropriations, was adopted.

Yeas, 84; Nays, 1.

Yeas:

Messrs.:

Adcock	Frey	Kirkpatrick	Ringer
Allen	Golson	Langdon	Rivers
Anderson	Goode	Lee	Rogers (Elmore)
Bartlett	Goodwyn	Lovelace	Rogers (Mobile)
Beebe	Graves	Luck	Sanders (Conecuh)
Brunson	Green	McAdory	Sanders (Pike)
Bryant	Grove	Martin	Sanderson
Burleson	Harwood	Matthews	Shepherd
Burns	Hawkins	Merrill	Simpson
Byars	Hightower	Miller (Marengo)	Smith
Cannon	Hollis	Miller (Sumter)	Stephens
Carter	Howard	Molette	Stewart (Calhoun)
Christian	Howell	Monk	Tompkins
Cockrell	Hubbard	Mullen	Vickers
Cook	Hughes	Nipper	Waddell
Darden	Jeter	Norman	Ward (Geneva)
Deloney	Johnson	Owens	Ward (Tuscaloosa)
Denson	Jones (Bullock)	Parish	Ware
Edmundson	Jones (Cleburne)	Patterson	Webb
Edwards	Jordan (Etowah)	Pitts	Weldon
Fite	Jordan (Washington)	Quillin	Winn

—84

Nay:—Mr. Baldwin—1.

And the bill:

H. 673. To make an appropriation of eight thousand two hundred thirty-five (\$8,235.88) dollars and eighty-eight cents out of the State treasury to the county board of education of Washington County to cover the loss sustained through the burning of he public school building at Chatom on the first day of April, 1924.

As amended by the Substitute reported by the Standing Committee on Appropriations was read a third time at length and passed.

Yeas, 81; Nays, 1.

Yeas:

Messrs.:

Adcock	Brunson	Cannon	Darden
Allen	Bryant	Carter	Deloney
Anderson	Burleson	Christian	Denson
Bartlett	Burns	Cockrell	Edmundson
Beebe	Byars	Cook	Edwards

Fite	Jeter	Miller (Sumter)	Sanders (Conecuh)
Frey	Johnson	Molette	Sanders (Pike)
Goode	Jones (Bullock)	Moxley	Sanderson
Goodwyn	Jones (Cleburne)	Mullen	Simpson
Graves	Jordan (Etowah)	Nipper	Smith
Green	Jordan (Washington)	Owens	Starnes
Grove	Kirkpatrick	Parish	Stephens
Hampton	Langdon	Patterson	Stewart (Calhoun)
Harwood	Lee	Pegues	Tompkins
Hawkins	Luck	Pitts	Vickers
Hightower	McAdory	Quillin	Waddell
Hollis	Martin	Reeder	Ward (Tuscaloosa)
Howard	Matthews	Ringer	Ware
Howell	Merrill	Rogers (Elmore)	Weldon
Hubbard	Miller (Marengo)	Rogers (Mobile)	Winn
Hughes			

—81

Nay:—Mr. Baldwin—1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 157. To amend Section 6 of an Act entitled An Act, To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors, approved September 17, 1923.

And requests a Committee of Conference.

And the President of the Senate has appointed as conferees on the part of the Senate Messrs. Nixon, Holmes and Jack.

And said bill with the House amendment is herewith returned to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the Two Houses on

the House amendment to the Bill S. 157. And the Speaker named as Conferees, on the part of the House, Messrs. Stewart of Calhoun, Merrill and Patterson.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment:

By Mr. Holmes:

S. 310. To require the teaching in the high schools and junior high schools of Alabama suitable lectures at least once each week on sexology, sociology, biology, physiology, anthropology, and prevention of social diseases; to require the teaching of the most important and significant of modern problem of racial hygiene and the cultivation of conditions that will tend to improve the qualities of future generations; to require a transmission by education of the knowledge and tradition of sex problems to all boys and girls thirteen years old and up in the high schools and junior high schools, teaching the boys and girls separately; to require biologic instruction to prepare the growing generation for the demands of adult life and development; to require the teaching of the danger of contagious diseases and instruction as to their prevention, and to prescribe the powers and duties of the Superintendent of Education, the State Board of Education and the State Health Officer in connection herewith, and providing that expenses incurred in carrying out the provisions of this Act shall be paid out of the general Educational Fund of the State.

By Mr. Williams:

S. 211. To amend Section 865 of the Code of Alabama, 1923.

By Mr. Fite:

S. 43. To regulate sales of goods and to make uniform the law relating thereto, to make documents of title negotiable in certain cases, and to require sales of goods of the value of \$500 or over to be in writing to be enforceable, unless partly delivered or partly paid for.

By Mr. Thompson (With N. & P.):

S. 405. To relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare Tax Collector's Abstracts from said Assessment lists.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature, in the following words and figures, to-wit:

A BILL

To be entitled an Act to relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and keep as permanent record and prepare Tax Collector's Abstracts from said assessment lists.

Be it Enacted by the Legislature of Alabama:

Section 1. That the Tax Assessor of Jackson County, Alabama, shall not be required to prepare the book of assessments, but in lieu thereof, shall be required to arrange in alphabetical order the original assessment lists and have same permanently bound, and such assessment lists when bound shall constitute the book of assessments to all intents and purposes. Such assessment lists when bound shall be preserved permanently as a matter of record, and the Tax Collector's Abstracts shall be prepared direct from such assessment lists.

Section 2. That this Act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA,

Jackson County.

Before me, W. R. Bogart, Judge of Probate in and for said County and State, personally appeared J. S. Benson, who being first duly sworn, deposes and says that he is the Editor and Owner of the Progressive Age, a weekly newspaper published in Scottsboro, Jackson County, Alabama; that the above and foregoing notice of a proposed law for Jackson County, Alabama, a copy of which is hereto attached, was published in said Progressive Age for four successive weeks prior to this date; said notices appearing in the issues of said newspaper dated the 23rd of June, 30th, of June, 7th of July and 14th of July, 1927, and that said publication was without cost to the State of Alabama.

J. S. Benson,
Editor and Owner.

Sworn to and subscribed before me this 18th day of July, 1927.

W. R. Bogart,
Judge of Probate.

By Mr. Holmes:

S. 430. To amend Section 1106, Code of Alabama 1923, relative to venereal disease control.

By Mr. Fite:

S. 435. To prohibit the selling or offering for sale, barter or exchange, of any slot machine, lottery, punch board, wheel of fortune, scheme of raffling or any other device of chance; and to provide the penalty therefor.

By Mr. Fite:

S. 326. To amend Section 8832 of the Code of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to Appropriate Standing Committees as follows:

Public Health, S. 310, S. 430.
 Appropriations, S. 211.
 Judiciary, S. 43; S. 435.
 Local Legislation, S. 405.
 Revision of Laws, S. 326.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 243. To create the 22nd Judicial Circuit of Alabama; to provide for the appointment and election of a judge and solicitor therefor; and to fix their salaries.

J. E. Speight,
 Secretary.

SENATE MESSAGE

On motion of Mr. Hampton the House concurred in and adopted the Senate amendment to the Bill H. 243. Said Senate amendment being as follows:

Amend House Bill 243 as follows:

Amend the caption of said Act by striking out the figures "22" and insert in lieu thereof the figures "23rd."

Amend Section one of said Act by striking out the figures "22" where they occur in the third line of said Section one and inserting in lieu thereof the figures "23rd."

Yeas, 90; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
 Adcock
 Allen
 Anderson
 Ashcraft
 Baldwin
 Bartlett
 Beebe
 Brunson
 Bryant
 Burleson
 Burns

Cannon
 Christian
 Cockrell
 Cook
 Darden
 Deloney
 Denson
 Edmundson
 Edwards
 Fite
 Frey
 Goode

Goodwyn
 Graves
 Green
 Gullatt
 Hampton
 Harwood
 Hawkins
 Hightower
 Hollis
 Howard
 Howell
 Hubbard

Hughes
 Jeter
 Johnson
 Jones (Bullock)
 Jones (Cleburne)
 Jordan (Etowah)
 Jordan (Washington)
 Kirkpatrick
 Langdon
 Lawler
 Lee
 Lovelace

Luck	Nipper	St. John	Tompkins
McAdory	Norman	Sanders (Pike)	Tunstall
Matthews	Owens	Sanderson	Vickers
Merrill	Patterson	Shivers	Waddell
Miller (Marengo)	Pegues	Simpson	Wallace
Miller (Sumter)	Pitts	Smith	Ward (Tuscaloosa)
Molette	Poole	Starnes	Ware
Monk	Quillin	Stephens	Webb
Morrow	Reeder	Stewart (Calhoun)	Weldon
Moxley	Rivers	Thompson	Winn
Mullen	Rogers (Mobile)		

—90

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bill:

H. 955. To repeal an Act, entitled "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security, in Jefferson, Morgan, Walker and Etowah Counties," approved March 9, 1901, (Acts 1900-1901, pages 2685 to 2688), in so far as the same relates to or affects any and all counties of this State having a population of forty-five thousand or less according to the last preceding or any subsequent official and published Federal Census.

And find same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bill your signature thereto is requested:

S. 296. To provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

On motion of Mr. Simpson all House Bills passed at the afternoon session of the House were ordered sent to the Senate without engrossment.

RECESS

On motion of Mr. Jeter the House recessed until 8 o'clock tonight.

NIGHT SESSION

The hour of eight o'clock P. M. having arrived the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and sends same herewith to the House without engrossment:

By Mr. Craft:

S. 443. To amend Section 8 of an act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government, approved April 8, 1911.

By Mr. Williams:

S. 216. To amend Section 7418 of the Code of Alabama, 1923.

By Mr. Williams:

S. 213. To amend Section 7918 of the Code of Alabama, 1923.

By Mr. Williams:

S. 212. To amend Section 7951 of the Code of Alabama, 1923.

By Mr. Williams:

S. 209. To amend Section 7920 of the Code of Alabama, 1923.

By Mr. Williams:

S. 225. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.

By Mr. Williams:

S. 217. To amend Section 7009 of the Code of Alabama, 1923.

By Mr. Williams:

S. 218. To amend Section 7005 of the Code of Alabama, 1923.

By Mr. Williams:

S. 222. To provide for the creation of a commission on uniform State laws the appointment of commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.

By Mr. Williams:

S. 227. To amend Section 6996 of the Code of Alabama, 1923.

By Mr. Williams:

S. 199. To amend Section 10043 of the Code of Alabama, 1923.

By Mr. Williams:

S. 198. To amend Section 10048 of the Code of Alabama of 1923.

By Mr. Williams:

S. 200. To amend Section 10044 of the Code of Alabama, 1923.

By Mr. Williams:

S. 253. To amend Chapter 34 of the Code of Alabama, 1923, by providing for the admission to the Bryce Hospital for the insane, and to the Searcy Hospital for the insane, persons addicted to the use of alcohol, opium, cocaine, their derivations or compounds, and other narcotic drugs, or veronal, and to provide for their detention, treatment and discharge therefrom.

By Mr. Teasley (With N. & P.):

S. 191. For the relief of A. E. Jackson, and to reimburse him for expenses incurred in defense of prosecutions instituted against him by the State of Alabama, in the Circuit Court of Madison County, for acts alleged to have been committed by him

while acting as Superintendent of Banks in the administration or liquidation of the affairs of the Bank of Madison, and in which he was acquitted or discharged.

With Notice and Proof herewith exhibited as follows:

TO WHOM IT MAY CONCERN

Notice is hereby given that at the next session of the legislature of Alabama, which will re-convene in June, 1927, a bill will be introduced therein to reimburse me, out of the state treasury for necessary and reasonable expenses incurred and paid by me in the sum of \$696.52, in the defense of the indictments or prosecutions instituted against me by the state of Alabama in the circuit court of Madison county, while acting as state superintendent of banks in connection with the affairs of the Bank of Madison, and in which prosecutions I was acquitted or discharged.

This the 7th day of March, 1927.

A. E. Jackson.
Huntsville, Ala., 4-1, 1927.

Mr. A. E. Jackson, City.

Mar. 10, 1927. To Pub. notice, 116 words., 4 T. W. \$5.22.

The insertions of this advertisement were made in The Huntsville Daily Times for four consecutive weeks beginning 3-10-27.

J. E. Pierce,
Editor and General Manager.

Subscribed and sworn to before me this the 16th day of April, 1927.
(Seal)

Arvie Pierce,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Local Legislation: S. 443.

Judiciary: S. 216; S. 213; S. 212; S. 209; S. 225; S. 217; S. 218; S. 222; S. 227; S. 253.

Commerce and Common Carriers: S. 199; S. 198; S. 200.

Appropriations: S. 191.

BILLS ON THIRD READING

H. 580. To abolish the Commissioners Court of Walker County, and to establish in lieu thereof a Board of Revenue of Walker County, and to provide that the present County Commissioners shall constitute the members of the Board of Revenue, to prescribe their duties, their powers and fix their compensation.

Mr. Powell moved to recommit the Bill H. 580 to the Standing Committee on Local Legislation. Mr. Shepherd moved to table the motion of Mr. Powell and the motion to table prevailed.

Mr. Powell moved to indefinitely postpone the Bill H. 580 and the motion to indefinitely postpone was lost.

Yeas, 19; Nays, 64.

Yeas:

Messrs.:

Adcock	Darden	Moxley	Smith
Anderson	Golson	Mullen	Starnes
Bartlett	Harwood	Powell	Stewart (Bibb)
Burleson	Jones (Cleburne)	Quillin	Thompson
Byars	Monk	Ringer	

—19

Nays:

Messrs:

Mr. Speaker	Goodwyn	Lee	Reeder
Allen	Grove	Lovelace	Rivers
Baldwin	Guy	Luck	Rogers (Mobile)
Beebe	Hampton	McAdory	St. John
Brunson	Hawkins	Martin	Sanders (Concuh)
Bryant	Hightower	Matthews	Sanders (Pike)
Burns	Howard	Merrill	Shepherd
Cannon	Howell	Miller (Marengo)	Shivers
Cockrell	Jeter	Miller (Sumter)	Simpson
Deloney	Johnson	Molette	Stephens
Denson	Jones (Bullock)	Norman	Stewart (Calhoun)
Edmundson	Jordan (Etowah)	Owens	Tunstall
Edwards	Jordan (Washington)	Parish	Vickers
Fite	Kirkpatrick	Patterson	Waddell
Frey	Langdon	Pitts	Ward (Geneva)
Goode	Lawler	Poole	Ware

—64

And the Bill:

H. 580. To abolish the Commissioners Court of Walker County, and to establish in lieu thereof a Board of Revenue of Walker County, and to provide that the present County Commissioners shall constitute the members of the Board of Revenue, to prescribe their duties, their powers and fix their compensation.

Was read a third time at length and passed.

Yeas, 69; Nays, 13.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Grove	Jones (Bullock)
Adcock	Christian	Guy	Jordan (Etowah)
Allen	Cockrell	Hampton	Jordan (Washington)
Anderson	Deloney	Harwood	Kirkpatrick
Baldwin	Denson	Hawkins	Langdon
Beebe	Edmundson	Hightower	Lawler
Brunson	Fite	Howard	Lee
Bryant	Frey	Howell	Lovelace
Burleson	Goode	Jeter	Luck
Burns	Graves	Johnson	McAdory

Martin	Owens	Rivers	Simpson
Matthews	Parish	Rogers (Mobile)	Stewart (Calhoun)
Merrill	Patterson	St. John	Thompson
Miller (Marengo)	Pitts	Sanders (Conecuh)	Tunstall
Miller (Sumter)	Poole	Sanders (Pike)	Vickers
Molette	Rankin	Shepherd	Waddell
Moxley	Reeder	Shivers	Ward (Geneva)
Norman			

—69

*Nays:**Messrs.:*

Bartlett	Jones (Cleburne)	Quillin	Stephens
Darden	Mullen	Ringer	Stewart (Bibb)
Edwards	Powell	Smith	Ware
Golson			

—13

H. 1059. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, the sum of fourteen hundred seventy-five and no/100 (\$1,475.00) dollars, which amount was paid to W. C. Kyle, as sheriff of Tuscaloosa County, under the provisions of the Act approved September 24, 1919, and entitled "An Act to provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than fifty-three thousand four hundred and one (53,401) nor more than fifty-eight thousand five hundred and one (58,501) population according to the Federal census of 1910, or according to any subsequent Federal census," and which the said W. C. Kyle, deceased, repaid to the County of Tuscaloosa.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Hawkins	Miller (Marengo)	Sanderson
Adcock	Hightower	Miller (Sumter)	Shepherd
Allen	Howard	Molette	Shivers
Anderson	Howell	Mullen	Simpson
Ashcraft	Hubbard	Norman	Starnes
Baldwin	Johnson	Patterson	Stephens
Bartlett	Jones (Bullock)	Powell	Stewart (Bibb)
Beebe	Jones (Cleburne)	Quillin	Stewart (Calhoun)
Cannon	Jordan (Etowah)	Rankin	Thompson
Christian	Jordan (Washington)	Reeder	Tompkins
Cockrell	Kirkpatrick	Ringer	Tunstall
Deloney	Langdon	Rivers	Vickers
Denson	Lawler	Rogers (Elmore)	Waddell
Edmundson	McAdory	Rogers (Mobile)	Wallace
Edwards	Matthews	Sanders (Conecuh)	Ward (Geneva)
Hampton	Merrill	Sanders (Pike)	Ward (Tuscaloosa)
Harwood			

—65

H. 835. To provide for the Compensation of the County Solicitor of Bullock County, Alabama, and to regulate the manner of payment.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Monk	Shepherd
Adcock	Denson	Morrow	Shivers
Allen	Edmundson	Mullen	Simpson
Baldwin	Edwards	Nipper	Smith
Bartlett	Fite	Norman	Starnes
Beebe	Frey	Patterson	Stephens
Brunson	Golson	Pegues	Thompson
Bryant	Harwood	Pitts	Tompkins
Burleson	Hawkins	Poole	Tunstall
Burns	Hollis	Powell	Vickers
Byars	Howard	Quillin	Waddell
Cannon	Hughes	Rankin	Wallace
Carter	Jeter	Reeder	Ware
Christian	Johnson	Ringer	Webb
Cockrell	Jones (Bullock)	Rivers	Weldon
Cook	Molette	Sanderson	Winn
Darden			

—65

H. 1024. To amend Sec. 1 of an Act Entitled An Act to provide for the Establishing, Constructing and Maintaining Public Roads and Bridges in Cullman County, Alabama; Creating a Highway Commission for said County, Defining its Powers, Jurisdiction and Duties.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Hightower	Miller (Marengo)	Ringer
Allen	Hollis	Miller (Sumter)	Rogers (Elmore)
Bartlett	Howard	Molette	Rogers (Mobile)
Beebe	Howell	Monk	St. John
Burns	Hubbard	Morrow	Sanders (Conecuh)
Byars	Hughes	Moxley	Sanders (Pike)
Cannon	Johnson	Mullen	Stephens
Carter	Jones (Bullock)	Nipper	Stewart (Bibb)
Christian	Jones (Cleburne)	Norman	Stewart (Calhoun)
Cockrell	Jordan (Etowah)	Owens	Thompson
Denson	Jordan (Washington)	Parish	Ward (Geneva)
Edmundson	Kirkpatrick	Patterson	Ward (Tuscaloosa)
Goode	Langdon	Pegues	Ware
Graves	Martin	Pitts	Webb
Hampton	Matthews	Poole	Weldon
Harwood	Merrill	Reeder	Winn
Hawkins			

—65

H. 975. To extend the boundary lines of the city of Alexander City, Alabama, and to describe the area included in such extension of boundary lines and within such city.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Jones (Cleburne)	Owens
Adcock	Edwards	Jordan (Etowah)	Parish
Allen	Fite	Jordan (Washington)	Patterson
Anderson	Frey	Kirkpatrick	Pegues
Ashcraft	Golson	Langdon	Pitts
Baldwin	Goods	Lawler	Poole
Bartlett	Graves	Lee	Powell
Beebe	Green	Lovelace	Quillin
Cannon	Grove	Miller (Marengo)	Rankin
Carter	Gullatt	Molette	Reeder
Christian	Hollis	Monk	Ringer
Cockrell	Howard	Morrow	Shepherd
Cook	Hubbard	Moxley	Simpson
Darden	Jeter	Mullen	Smith
Deloney	Johnson	Nipper	Starnes
Denson	Jones (Bullock)	Norman	Ware
Desear			

—65

H. 1058. To make it unlawful to use or place or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Green	Martin	Starnes
Adcock	Grove	Matthews	Stephens
Anderson	Gullatt	Merrill	Stewart (Bibb)
Baldwin	Guy	Molette	Stewart (Calhoun)
Bartlett	Hampton	Monk	Thompson
Bryant	Harwood	Morrow	Tompkins
Burleson	Hawkins	Parish	Tunstall
Cannon	Hightower	Patterson	Vickers
Carter	Hollis	Pitts	Waddell
Christian	Hughes	Rivers	Wallace
Cockrell	Jordan (Washington)	Rogers (Elmore)	Ward (Geneva)
Darden	Kirkpatrick	Rogers (Mobile)	Ward (Tuscaloosa)
Deloney	Langdon	St. John	Ware
Denson	Lawler	Sanders (Conecuh)	Webb
Goode	Luck	Sanders (Pike)	Weldon
Goodwyn	McAdory	Sanderson	Winn
Graves			

—65

S. 173. To authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cook	Morrow	Rivers
Adcock	Darden	Moxley	Rogers (Elmore)
Allen	Deloney	Mullen	Rogers (Mobile)
Anderson	Denson	Nipper	St. John
Ashcraft	Desear	Norman	Sanders (Conecuh)
Baldwin	Edmundson	Owens	Sanders (Pike)
Bartlett	Edwards	Parish	Sanderson
Beebe	Graves	Patterson	Vickers
Brunson	Green	Pegues	Waddell
Bryant	Grove	Pitts	Wallace
Burleson	Guy	Poole	Ward (Geneva)
Burns	Harwood	Powell	Ward (Tuscaloosa)
Byars	Hawkins	Quillin	Ware
Cannon	Hightower	Rankin	Webb
Carter	Molette	Reeder	Weldon
Christian	Monk	Ringer	Winn
Cockrell			

—65

H. 1025. To designate and establish a State Trunk Road from Attalla, in Etowah County to Springville, in St. Clair County, Alabama, and to provide for its construction and maintenance by the State Highway Department.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Baldwin	Hubbard	Matthews	Shivers
Christian	Hughes	Merrill	Simpson
Cockrell	Jeter	Miller (Marengo)	Smith
Goode	Johnson	Miller (Sumter)	Starnes
Goodwyn	Jones (Bullock)	Norman	Stephens
Graves	Jones (Cleburne)	Owens	Stewart (Bibb)
Green	Jordan (Etowah)	Parish	Stewart (Calhoun)
Grove	Jordan (Washington)	Patterson	Thompson
Gullatt	Kirkpatrick	Pegues	Tompkins
Guy	Langdon	Rogers (Elmore)	Waddell
Hampton	Lawler	Rogers (Mobile)	Ward (Geneva)
Harwood	Lee	St. John	Ward (Tuscaloosa)
Hawkins	Lovelace	Sanders (Conecuh)	Ware
Hightower	Luck	Sanders (Pike)	Webb
Hollis	McAdory	Sanderson	Weldon
Howard	Martin	Shepherd	Winn
Howell			

—65

H. 1006. To provide for the payment of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

Was taken up.

Mr. Langdon offered the following amendment to the bill:

Amend House Bill 1006 by adding thereto Section 9 as follows:

Sec. 9. The license tax or levy provided for in this Act shall not be levied or assessed or charged without an election by the qualified voters of Pickens County, held at the call of the Commissioners Court of Pickens County; at which election the question shall be submitted to the voters in substantially the following form of official ballot. Expense of said election to be paid out of County Funds, not otherwise appropriated.

Official Ballot:

"Shall the Court of County Commissioners of Pickens County levy a license tax of two cents per gallon on the sale of gasoline or other motor fuels in Pickens County for sole use on the County roads and bridges."

Yes.....

No.....

If a majority of the qualified voters at said election shall vote in favor of said levy, the Court of County Commissioners, may levy said tax if they see fit. The Court of County Commissioners may at any subsequent time repeal said gasoline levy by a majority vote of said Court of County Commissioners.

And the amendment offered by Mr. Langdon was adopted:

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker

Baldwin

Bartlett

Beebe

Byars

Cannon

Christian

Cook

Edmundson

Edwards

Fite

Frey

Golson

Goode

Goodwyn

Graves

Green

Guy

Hampton

Harwood

Hawkins

Hightower

Hollis

Howard

Howell

Hubbard

Hughes

Jeter

Johnson

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Langdon

Lawler

Lee

Lovelace

Martin

Merrill

Rogers (Mobile)

St. John

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shepherd

Shivers

Simpson

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Thompson

Tompkins

Tunstall

Vickers

Waddell

Wallace

Ward (Geneva)

Ward (Tuscaloosa)

Ware

Webb

Weldon

Winn

And the Bill:

H. 1006. To provide for the payment of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Luck	Pegues
Adcock	Goodwyn	McAdory	Pitts
Allen	Graves	Matthews	Poole
Ashcraft	Green	Merrill	Powell
Baldwin	Grove	Miller (Marengo)	Quillin
Bartlett	Gullatt	Miller (Sumter)	Rankin
Beebe	Hampton	Molette	Reeder
Brunson	Hawkins	Monk	Ringer
Bryant	Hightower	Morrow	Rivers
Cockrell	Howard	Moxley	Rogers (Elmore)
Cook	Howell	Mullen	Simpson
Darden	Hubbard	Nipper	Smith
Deloney	Hughes	Norman	Starnes
Denson	Langdon	Owens	Stephens
Edmundson	Lawler	Parish	Stewart (Bibb)
Edwards	Lee	Patterson	Stewart (Calhoun)
Fite			

—65

H. 620. To vacate a portion of the public street or highway in the Town of Atmore, Alabama, now forming a curve or turnout in State Road Number 9, and situated at or near the right of way of the Louisville and Nashville Railroad Company, and adjacent to Greenlawns Addition and Eastland Addition in said Town of Atmore, and to relinquish and abandon all rights of the public in and to the portion of said street or highway so vacated.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Kirkpatrick	Pitts
Adcock	Darden	Langdon	Poole
Allen	Deloney	Lawler	Rogers (Elmore)
Anderson	Denson	Lee	Rogers (Mobile)
Ashcraft	Edmundson	Lovelace	Sanders (Conecuh)
Baldwin	Edwards	Luck	Sanders (Pike)
Bartlett	Fite	Martin	Sanderson
Beebe	Frey	Merrill	Shepherd
Brunson	Golson	Miller (Marengo)	Smith
Bryant	Gullatt	Miller (Sumter)	Starnes
Burleson	Guy	Molette	Ward (Geneva)
Burns	Hughes	Monk	Ward (Tuscaloosa)
Byars	Jeter	Owens	Ware
Cannon	Johnson	Parish	Webb
Carter	Jordan (Etowah)	Patterson	Weldon
Christian	Jordan (Washington)	Pegues	Winn
Cockrell			

—65

H. 1067. To fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Hawkins	Pitts	Starnes
Allen	Hightower	Poole	Stephens
Anderson	Hollis	Rankin	Stewart (Bibb)
Ashcraft	Howard	Reeder	Stewart (Calhoun)
Baldwin	Howell	Ringer	Thompson
Bryant	Hughes	Rivers	Tompkins
Burns	Jeter	Rogers (Elmore)	Tunstall
Byars	Lee	Rogers (Mobile)	Vickers
Cook	Lovelace	St. John	Waddell
Darden	McAdory	Sanders (Conecuh)	Wallace
Deloney	Molette	Sanders (Pike)	Ward (Geneva)
Edmundson	Monk	Sanderson	Ward (Tuscaloosa)
Fite	Morrow	Shepherd	Ware
Frey	Moxley	Shivers	Webb
Golson	Mullen	Simpson	Weldon
Hampton	Pegues	Smith	Winn
Harwood			

—65

H. 1045. Conferring upon all cities in this State having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, the same power and authority with respect to matters of sanitation in the territory outside of the corporate limits of such city, but within police jurisdiction thereof, which it has within the territory embraced within the corporate limits of such city; and authorizing such cities to construct and re-construct systems of sanitary sewers and sewage treatment and disposal plants and outlets for such sewers and sewage systems outside of the corporate limits of such city and within the police jurisdiction of such city; and authorizing the assessment of the whole or part of the cost of such construction upon property served, benefited or increased in value, where such property lies outside the corporate limits of such city, but within the police jurisdiction of such city; and authorizing such cities to issue bonds to pay for the cost of such construction and re-construction.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Bryant	Byars	Christian
Beebe	Burleson	Cannon	Cockrell
Brunson	Burns	Carter	Cook

Darden	Jones (Bullock)	Merrill	Pegues
Deloney	Jones (Cleburne)	Miller (Marengo)	Pitts
Denson	Jordan (Etowah)	Miller (Sumter)	Poole
Desear	Jordan (Washington)	Molette	Powell
Edmundson	Kirkpatrick	Monk	Quillin
Edwards	Langdon	Morrow	Rankin
Fite	Lawler	Moxley	Reeder
Frey	Lee	Mullen	Ringer
Golson	Lovelage	Nipper	Rivers
Goode	Luck	Norman	Rogers (Elmore)
Goodwyn	McAdory	Owens	Rogers (Mobile)
Graves	Martin	Parish	Vickers
Green	Matthews	Patterson	Waddell
Grove			

—65

H. 1046. To amend Sections 4 and 9 of an Act entitled "An Act to amend sections two (2) three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an Act entitled an Act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Martin	Sanders (Pike)
Allen	Goodwyn	Matthews	Sanderson
Ashcraft	Graves	Miller (Marengo)	Shepherd
Bartlett	Grove	Miller (Sumter)	Simpson
Brunson	Guy	Molette	Smith
Burleson	Harwood	Morrow	Starnes
Byars	Hightower	Moxley	Stephens
Carter	Howard	Nipper	Stewart (Bibb)
Christian	Hubbard	Norman	Stewart (Calhoun)
Cockrell	Jones (Bullock)	Pitts	Thompson
Cook	Jones (Cleburne)	Rankin	Tompkins
Darden	Jordan (Etowah)	Ringer	Tunstall
Deloney	Jordan (Washington)	Rivers	Vickers
Denson	Kirkpatrick	Rogers (Elmore)	Ware
Desear	Lawler	Rogers (Mobile)	Webb
Frey	Lovelage	Sanders (Conecuh)	Winn
Golson			

—65

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof was taken up.

Mr. Rogers of Mobile offered the following amendment to the bill:

Amend Section 1 by adding at the end thereof the following:

"And provided further that if any person, firm or corporation pays a license for doing business within the corporate limits of such city, no additional license shall be imposed upon such person, firm or corporation for transacting the same business outside the corporate limits and within the police jurisdiction of such city."

And the amendment offered by Mr. Rogers of Mobile was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Howell	Owens	Starnes
Adcock	Hubbard	Quillin	Stephens
Allen	Luck	Rankin	Stewart (Bibb)
Anderson	McAdory	Reeder	Stewart (Calhoun)
Ashcraft	Martin	Ringer	Thompson
Baldwin	Matthews	Rivers	Tompkins
Bartlett	Merrill	Rogers (Elmore)	Tunstall
Beebe	Miller (Marengo)	Rogers (Mobile)	Vickers
Carter	Miller (Sumter)	St. John	Waddell
Edmundson	Molette	Sanders (Conecuh)	Wallace
Edwards	Monk	Sanders (Pike)	Ward (Geneva)
Fite	Morrow	Sanderson	Ward (Tuscaloosa)
Goodwyn	Moxley	Shepherd	Ware
Graves	Mullen	Shivers	Webb
Grove	Nipper	Simpson	Weldon
Hollis	Norman	Smith	Winn
Howard			

—65

And the Bill:

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burns	Edwards	Hampton
Adcock	Byars	Fite	Harwood
Allen	Cannon	Frey	Hawkins
Anderson	Carter	Golson	Hightower
Ashcraft	Christian	Goode	Hollis
Baldwin	Cockrell	Goodwyn	Howard
Bartlett	Cook	Graves	Howell
Beebe	Darden	Green	Hubbard
Brunson	Deloney	Grove	Hughes
Bryant	Denson	Gullatt	Jeter
Burleson	Edmundson	Guy	Johnson

Jones (Bullock)	Lawler	Patterson	Tompkins
Jones (Cleburne)	Lee	Pegues	Tunstall
Jordan (Etowah)	Lovelace	Rogers (Mobile)	Vickers
Jordan (Washington)	Nipper	St. John	Waddell
Kirkpatrick	Parish	Shepherd	Wallace
Langdon			

—65

H. 1042. To empower municipal corporations having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to provide for, regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied and the location and use of buildings and structures, and the use of land for trade, industry, residences and other purposes, and to regulate the housing or residence within such city of different classes of inhabitants.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

<i>Yeas:</i>			
Messrs.:			
Bryant	Kirkpatrick	Norman	Shivers
Burleson	Langdon	Owens	Simpson
Burns	Lawler	Parish	Smith
Byars	Lee	Patterson	Starnes
Goode	Lovelace	Pegues	Stephens
Graves	Luck	Pitts	Stewart (Bibb)
Green	McAdory	Poole	Stewart (Calhoun)
Grove	Martin	Powell	Vickers
Harwood	Matthews	Quillin	Waddell
Hawkins	Merrill	Rankin	Wallace
Hightower	Molette	Reeder	Ward (Geneva)
Hollis	Monk	Ringer	Ward (Tuscaloosa)
Howard	Morrow	Rivers	Ware
Howell	Moxley	Rogers (Mobile)	Webb
Hubbard	Mullen	Sanderson	Weldon
Jeter	Nipper	Shepherd	Winn
Johnson			

—65

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such coun-

ties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use thereof; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to expend county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside of the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and authorizing such counties to enter into such contracts and operate such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this Act authorizes the governing bodies of such counties to do.

Was taken up.

Mr. Grove offered the following amendment to the bill:

Amend House Bill No. 879 as follows:

Amend Section 4 by striking out the word "either" between the words "time" and "after", in the seventh line of Section 4, also the words "or prior to" at the end of the seventh line of Section 4; also the words "as to them may seem satisfactory", in the eighth and ninth lines of Section 4.

Also amend Section 4 by striking out the words "person, firm or corporation" after the word "Counties" in line 3 on page 2 of said bill.

And the amendment offered by Mr. Grove to the bill was adopted:

Yeas, 65; Nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Edmundson	Molette	Shepherd
Baldwin	Edwards	Monk	Shivers
Bartlett	Fite	Morrow	Simpson
Beebe	Frey	Moxley	Smith
Brunson	Golson	Mullen	Starnes
Bryant	Grove	Nipper	Stephens
Burleson	Gullatt	Parish	Stewart (Bibb)
Burns	Guy	Patterson	Stewart (Calhoun)
Byars	Hampton	Pegues	Thompson
Cannon	Harwood	Pitts	Tompkins
Carter	Hawkins	Poole	Tunstall
Christian	Hollis	Rogers (Mobile)	Vickers
Cockrell	Howard	St. John	Waddell
Cook	Howell	Sanders (Conecuh)	Wallace
Darden	Hubbard	Sanders (Pike)	Ward (Geneva)
Deloney	Hughes	Sanderson	Ward (Tuscaloosa)
Denson			

—65

And the Bill:

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such counties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use thereof; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to expend county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and au-

thorizing such counties to enter into such contracts and operate such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this act authorizes the governing bodies of such counties to do.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Howell	Merrill	Rogers (Elmore)
Adcock	Hubbard	Miller (Marengo)	Rogers (Mobile)
Allen	Hughes	Miller (Sumter)	Stewart (Bibb)
Anderson	Johnson	Molette	Stewart (Calhoun)
Ashcraft	Jones (Bullock)	Monk	Thompson
Baldwin	Jones (Cleburne)	Owens	Tompkins
Bartlett	Jordan (Etowah)	Parish	Tunstall
Beebe	Jordan (Washington)	Patterson	Vickers
Golson	Kirkpatrick	Pegues	Waddell
Goode	Langdon	Pitts	Wallace
Goodwyn	Lawler	Poole	Ward (Geneva)
Graves	Lee	Quillin	Ward (Tuscaloosa)
Green	Lovelace	Rankin	Ware
Gullatt	Luck	Reeder	Webb
Guy	Martin	Ringer	Weldon
Hightower	Matthews	Rivers	Winn

—64

Nay:—Mr. Grove—1.

S. 179. To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Byars	Frey	Luck
Adcock	Cannon	Goodwyn	McAdory
Allen	Carter	Green	Martin
Anderson	Christian	Grove	Matthews
Ashcraft	Cockrell	Gullatt	Merrill
Baldwin	Cook	Harwood	Morrow
Bartlett	Darden	Hawkins	Moxley
Beebe	Deloney	Jeter	Mullen
Brunson	Denson	Johnson	Parish
Bryant	Desear	Kirkpatrick	Patterson
Burleson	Edmundson	Lee	Pitts
Burns	Edwards	Lovelace	Poole

Powell	Ringer	Shepherd	Starnes
Quillin	Rivers	Shivers	Stephens
Rankin	Sanders (Pike)	Simpson	Thompson
Reeder	Sanderson	Smith	Tunstall

—64

Nay:—Mr. Tompkins—1.

H. 994. To amend Section 5 of an Act approved August 28, 1915, and entitled: "An Act to regulate and restrict the expenditures made, or contracted to be made, by each city in the State of Alabama which now has, or which may hereafter have, a population of more than one hundred thousand, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the impeachment and removal from office of each person, a member of the governing body of such city, who wilfully causes, abets or permits any unlawful expenditure to be made or contracts by such city.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Brunson	Jeter	Patterson	Shepherd
Bryant	Jones (Bullock)	Pegues	Shivers
Burleson	Jones (Cleburne)	Pitts	Simpson
Burns	Jordan (Etowah)	Poole	Stewart (Calhoun)
Byars	Jordan (Washington)	Powell	Thompson
Cannon	Langdon	Quillin	Tompkins
Carter	Lawler	Rankin	Tunstall
Christian	McAdory	Reeder	Vickers
Cockrell	Monk	Ringer	Waddell
Cook	Morrow	Rivers	Wallace
Edmundson	Moxley	Rogers (Elmore)	Ward (Geneva)
Edwards	Mullen	Rogers (Mobile)	Ward (Tuscaloosa)
Graves	Nipper	St. John	Ware
Harwood	Norman	Sanders (Conecuh)	Webb
Hawkins	Owens	Sanders (Pike)	Weldon
Hollis	Parish	Sanderson	Winn
Howard			

—65

S. 267. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said town as hereby extended, altered and re-arranged.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Goodwyn	Luck	Poole
Adcock	Graves	McAdory	Powell
Allen	Green	Martin	Quillin
Anderson	Grove	Matthews	Rankin
Ashcraft	Gullatt	Merrill	Reeder
Baldwin	Guy	Molette	Ringer
Bartlett	Hampton	Monk	Rivers
Beebe	Harwood	Morrow	Sanders (Pike)
Brunson	Hawkins	Moxley	Sanderson
Bryant	Hightower	Mullen	Simpson
Burleson	Hollis	Nipper	Thompson
Darden	Howard	Norman	Tompkins
Edmundson	Howell	Owens	Tunstall
Edwards	Hubbard	Parish	Vickers
Frey	Hughes	Pegues	Waddell
Golson	Jeter	Pitts	Wallace
Goode			

—65

H. 1039. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probate Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution: for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall

be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Baldwin	Goode	Matthews	Starnes
Bartlett	Goodwyn	Miller (Marengo)	Stephens
Beebe	Graves	Miller (Sumter)	Stewart (Bibb)
Brunson	Green	Monk	Stewart (Calhoun)
Bryant	Grove	Mullen	Thompson
Burleson	Hollis	Nipper	Tompkins
Cockrell	Howard	Owens	Tunstall
Cook	Jones (Bullock)	Rogers (Mobile)	Vickers
Darden	Jones (Clebune)	St. John	Waddell
Deloney	Jordan (Etowah)	Sanders (Conecuh)	Wallace
Denson	Jordan (Washington)	Sanders (Pike)	Ward (Geneva)
Desear	Kirkpatrick	Sanderson	Ward (Tuscaloosa)
Edmundson	Langdon	Shepherd	Ware
Edwards	Luck	Shivers	Webb
Fite	McAdory	Simpson	Weldon
Frey	Martin	Smith	Winn
Golson			

—65

H. 964. To amend "An Act to better provide for the holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwins precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53 and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for the organizing and empanelling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said courts at said place and otherwise provide therefor', said Act having been approved August 18th, 1919.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Brunson
Bryant
Burleson
Burns
Byars
Cannon
Carter
Christian
Cockrell

Edmundson
Edwards
Hampton
Harwood
Hawkins
Hightower
Hughes
Jeter
Kirkpatrick
Langdon
Lawler
Lee
Lovelace
Morrow
Nipper
Norman

Owens
Parish
Patterson
Pegues
Pitts
Poole
Powell
Quillin
Rankin
Reeder
Ringer
Rivers
St. John
Sanders (Conecuh)
Sanders (Pike)
Sanderson

Shepherd
Shivers
Simpson
Smith
Starnes
Stephens
Stewart (Bibb)
Stewart (Calhoun)
Thompson
Tompkins
Ward (Geneva)
Ward (Tuscaloosa)
Ware
Webb
Weldon
Winn

—65

H. 852. Providing that in all Counties in the State having a population of not less than eighty five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the Clerks of all Courts in such counties shall tax three dollars as costs in all cases brought in any Courts of any of said Counties and pay the same when collected into the Municipal Employees Pension and Relief Fund" of the largest City in said County.

Was taken up. Mr. Grove offered the following substitute for the Bill H. 852.

SUBSTITUTE FOR H. 852

A Bill to be entitled an Act Providing that in all counties in the State having a population of not less than eighty-five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the clerks of all courts in such counties shall tax fifty cents as costs in all criminal cases brought in any courts of any of said counties arising within the police jurisdiction of the largest city in such county, and pay the same when collected into the "Municipal Employees Pension and Relief Fund" of the largest city in said county.

Be it Enacted by the Legislature of Alabama:

Section 1. In all counties in this state having a population of not less than eighty-five thousand and not more than two hundred and fifty thousand, according to the last or any subsequent Federal Census, the clerks of all courts in such counties shall tax the sum of fifty cents as costs in all state criminal cases brought in any court of such county arising out of acts committed within the police jurisdiction of the largest city in such county, and

shall pay all such sums when collected into the "Municipal Employees Pension and Relief Fund" of the largest city in said county.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall take effect from and after the date of its approval by the Governor.

And the substitute was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Gullatt	Langdon	Nipper
Allen	Hampton	Lawler	Parish
Burns	Harwood	Lee	Patterson
Byars	Hawkins	Lovelace	Pegues
Cannon	Hollis	Luck	Rogers (Mobile)
Carter	Howard	McAdory	St. John
Cook	Howell	Martin	Sanderson
Darden	Hubbard	Matthews	Shepherd
Deloney	Hughes	Merrill	Shivers
Denson	Jeter	Miller (Marengo)	Simpson
Desear	Johnson	Miller (Sumter)	Smith
Edmundson	Jones (Bullock)	Molette	Starnes
Edwards	Jones (Cleburne)	Monk	Stephens
Fite	Jordan (Etowah)	Morrow	Thompson
Frey	Jordan (Washington)	Moxley	Tompkins
Golson	Kirkpatrick	Mullen	Vickers
Grove			

—65—

And the Bill:

H. 852. Providing that in all Counties in the State having a population of not less than eighty five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the Clerks of all Courts in such counties shall tax three dollars as costs in all cases brought in any Courts of any of said Counties and pay the same when collected into the Municipal Employees Pension and Relief Fund" of the largest City in said County.

As amended by the substitute offered by Mr. Grove was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Beebe	Carter	Green
Adcock	Brunson	Christian	Grove
Allen	Bryant	Cockrell	Gullatt
Anderson	Burleson	Cook	Guy
Ashcraft	Burns	Goode	Hampton
Baldwin	Byars	Goodwyn	Luck
Bartlett	Cannon	Graves	McAdory

Martin	Owens	Reeder	Vickers
Matthews	Parish	Ringer	Waddell
Merrill	Patterson	Rivers	Wallace
Molette	Pegues	Rogers (Elmore)	Ward (Geneva)
Monk	Pitts	Rogers (Mobile)	Ward (Tuscaloosa)
Morrow	Poole	Simpson	Ware
Moxley	Powell	Smith	Webb
Mullen	Quillin	Stephens	Weldon
Nipper	Rankin	Tunstall	Winn
Norman			

—65

H. 1063. Authorizing the Probate Judge or Deputy Solicitor to employ a competent shorthand writer to take stenographic notes of the testimony in County Court, in Justice Court and before Judge of Probate Court in cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment.

Was taken up.

Mr. Matthews offered the following amendment to the bill:

Amend the bill by adding in line one of caption the words "of Wilcox County" after the word Solicitor. Also amend the caption of the bill by adding the word "criminal" between the word "in" and "cases" in line four and by adding in line one Section one the word "criminal" before the word "cases" also by adding the word "criminal" before the word "cases" in line six Section one.

And the amendment offered by Mr. Matthews to the bill was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Harwood	Morrow	Starnes
Byars	Hawkins	Nipper	Stephens
Cannon	Hightower	Patterson	Stewart (Bibb)
Carter	Hollis	Pegues	S'ewart (Calhoun)
Cockrell	Howard	Pitts	Thompson
Darden	Howell	Poole	Tompkins
Edmundson	Hubbard	Rogers (Elmore)	Tunstall
Edwards	Johnson	Rogers (Mobile)	Vickers
Fite	Langdon	St. John	Waddell
Frey	Lawler	Sanders (Conecuh)	Wallace
Golson	Lee	Sanders (Pike)	Ward (Geneva)
Goode	Lovelace	Sanderson	Ward (Tuscaloosa)
Graves	Matthews	Shepherd	Ware
Green	Miller (Marengo)	Shivers	Webb
Grove	Miller (Sumter)	Simpson	Weldon
Gullatt	Monk	Smith	Winn
Hampton			

—65

And the Bill:

H. 1063. Authorizing the Probate Judge or Deputy Solicitor to employ a competent shorthand writer to take stenographic

notes of the testimony in County Court, in Justice Court and before Judge of Probate Court in cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Kirkpatrick	Rankin
Adcock	Darden	Langdon	Reeder
Allen	Deloney	Luck	Ringer
Anderson	Denson	McAdory	Rivers
Ashcraft	Goode	Martin	Rogers (Elmore)
Baldwin	Goodwyn	Matthews	Rogers (Mobile)
Bartlett	Gullatt	Merrill	St. John
Beebe	Hampton	Miller (Marengo)	Shepherd
Brunson	Harwood	Miller (Sumter)	Smith
Bryant	Howell	Molette	Stephens
Burleson	Hubbard	Monk	Stewart (Bibb)
Burns	Hughes	Parish	Stewart (Calhoun)
Byars	Jones (Bullock)	Patterson	Thompson
Cannon	Jones (Cleburne)	Poole	Tunstall
Carter	Jordan (Etowah)	Powell	Waddell
Christian	Jordan (Washington)	Quillin	Wallace
Cockrell			

—65

H. 1062. Authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Pegues	Starnes
Adcock	Graves	Pitts	Stephens
Allen	Lawler	Poole	Stewart (Bibb)
Anderson	Lovell	Powell	Stewart (Calhoun)
Ashcraft	McAdory	Quillin	Thompson
Baldwin	Matthews	Rankin	Tompkins
Beebe	Merrill	Reeder	Tunstall
Brunson	Molette	Ringer	Vickers
Bryant	Monk	Rivers	Waddell
Burleson	Morrow	Rogers (Elmore)	Wallace
Burns	Moxley	Rogers (Mobile)	Ward (Geneva)
Darden	Mullen	St. John	Ward (Tuscaloosa)
Denson	Norman	Sanders (Conecuh)	Ware
Desear	Owens	Shivers	Webb
Edmundson	Parish	Simpson	Weldon
Edwards	Patterson	Smith	Winn
Goode			

—65

H. 1022. To authorize the Court of County Commissioners of Covington County, Alabama to issue a warrant in favor of J. W. Livings, for the sum of \$204.42, and to provide for the payment of the same by the county treasurer.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Hughes	Miller (Sumter)
Beebe	Fite	Jeter	Molette
Brunson	Frey	Johnson	Parish
Bryant	Golson	Jones (Bullock)	Patterson
Burleson	Green	Jones (Cleburne)	Poole
Burns	Grove	Jordan (Etowah)	Powell
Byars	Gullatt	Jordan (Washington)	Quillin
Cannon	Guy	Kirkpatrick	Rankin
Carter	Hampton	Langdon	Reeder
Christian	Harwood	Lawler	Ringer
Cockrell	Hawkins	Lee	Rivers
Cook	Hightower	Lovelace	Tunstall
Darden	Hollis	Luck	Ware
Deloney	Howard	Martin	Webb
Denson	Howell	Merrill	Weldon
Desear	Hubbard	Miller (Marengo)	Winn
Edmundson			

—65

H. 988. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Langdon	Pegues
Adcock	Grove	Lovelace	Powell
Allen	Guy	Luck	Quillin
Anderson	Hampton	McAdory	Rankin
Baldwin	Hawkins	Martin	Rogers (Elmore)
Bartlett	Hollis	Matthews	Rogers (Mobile)
Cook	Howard	Merrill	St. John
Deloney	Howell	Miller (Marengo)	Sanders (Conecuh)
Fite	Hubbard	Miller (Sumter)	Sanders (Pike)
Frey	Hughes	Norman	Sanderson
Golson	Jeter	Owens	Shepherd
Goode	Johnson	Parish	Shivers
Goodwyn	Kirkpatrick	Patterson	Simpson

Smith
Starnes
Stephens
Stewart (Bibb)

Stewart (Calhoun)
Thompson
Tompkins
Tunstall
Vickers
Waddell

Wallace
Ward (Geneva)
Ward (Tuscaloosa)

—65

H. 987. To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Harwood	Matthews	Reeder
Allen	Hightower	Miller (Marengo)	Ringer
Ashcraft	Hollis	Miller (Sumter)	Rivers
Baldwin	Howard	Molette	Rogers (Elmore)
Bartlett	Howell	Monk	Rogers (Mobile)
Beebe	Hubbard	Morrow	Smith
Brunson	Hughes	Moxley	Stephens
Bryant	Johnson	Mullen	Stewart (Bibb)
Burleson	Jones (Bullock)	Nipper	Stewart (Calhoun)
Burns	Jones (Cleburne)	Norman	Thompson
Byars	Jordan (Etowah)	Owens	Tunstall
Edmundson	Jordan (Washington)	Parish	Vickers
Edwards	Kirkpatrick	Patterson	Waddell
Goode	Langdon	Powell	Wallace
Green	Lawler	Quillin	Ward (Geneva)
Grove	Lovelace	Rankin	Ward (Tuscaloosa)
Gullatt			

—65

H. 986. To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violation of this Act.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hawkins	Patterson	Starnes
Adcock	Johnson	Pegues	Stephens
Allen	Jones (Bullock)	Pitts	Stewart (Bibb)
Brunson	Jones (Cleburne)	Poole	Stewart (Calhoun)
Bryant	Jordan (Etowah)	Ringer	Thompson
Cannon	Jordan (Washington)	Rivers	Tompkins
Christian	Kirkpatrick	Rogers (Elmore)	Tunstall
Cockrell	Luck	Rogers (Mobile)	Vickers
Cook	McAdory	St. John	Waddell
Edmundson	Martin	Sanders (Conecuh)	Wallace
Edwards	Matthews	Sanders (Pike)	Ward (Geneva)
Fite	Merrill	Sanderson	Ward (Tuscaloosa)
Frey	Miller (Marengo)	Shepherd	Ware
Golson	Miller (Sumter)	Shivers	Webb
Guy	Molette	Simpson	Weldon
Hampton	Monk	Smith	Winn
Harwood			

—65

H. 1064. To authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said County, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire County and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include the notice and substance of bills advertised at and during the present Legislature.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Hampton	Norman
Adcock	Darden	Hollis	Owens
Allen	Deloney	Howard	Parish
Anderson	Denson	Howell	Pegues
Ashcraft	Edmundson	Hubbard	Pitts
Baldwin	Edwards	Hughes	Poole
Bartlett	Fite	Jeter	Powell
Beebe	Frey	Johnson	Quillin
Brunson	Golson	Langdon	Rankin
Bryant	Goode	Lawler	Reeder
Burleson	Goodwyn	Lee	Ringer
Burns	Graves	Lovelace	Rivers
Byars	Green	Matthews	Ware
Cannon	Grove	Merrill	Webb
Carter	Gullatt	Mullen	Weldon
Christian	Guy	Nipper	Winn
Cockrell			

—65

H. 481. To amend Section 10306 of the Code of Alabama, 1923.

Was taken up.

Mr. Patterson offered the following amendment to the bill:

To amend House Bill 481, amending Section 10306 of the Code of 1923, by striking out the word "Twenty-seven Hundred Dollars, and inserting in lieu thereof the words Three Thousand Dollars.

And the amendment offered by Mr. Patterson to the bill was adopted.

Yeas, 49; Nays, 28.

Yeas:

Messrs.:

Adcock	Carter	Golson	Hawkins
Allen	Cockrell	Goode	Hughes
Baldwin	Darden	Goodwyn	Jeter
Beebe	Deloney	Graves	Jordan (Etowah)
Brunson	Denson	Guy	Kirkpatrick
Byars	Frey	Harwood	Langdon

Lovelace	Monk	Rogers (Mobile)	Thompson
Luck	Moxley	Sanderson	Tunstall
McAdory	Owens	Simpson	Vickers
Martin	Parish	Smith	Waddell
Merrill	Patterson	Starnes	Ward (Geneva)
Miller (Marengo)	Pitts	Stewart (Calhoun)	Ware
Miller (Sumter)			

—49

*Nays:**Messrs.:*

Mr. Speaker	Hightower	Lee	Rivers
Anderson	Hollis	Matthews	Sanders (Conecuh)
Bryant	Howard	Molette	Sanders (Pike)
Burns	Howell	Nipper	Stephens
Cannon	Johnson	Poole	Tompkins
Edwards	Jones (Cleburne)	Quillin	Ward (Tuscaloosa)
Fite	Jordan (Washington)	Rankin	Webb

—28

And the Bill:

H. 481. To amend Section 10306 of the Code of Alabama, 1923.

As amended was read a third time at length and passed.

Yeas, 49; Nays, 29.

*Yeas:**Messrs.:*

Adcock	Edmundson	Kirkpatrick	Rogers (Mobile)
Allen	Frey	Lovelace	Sanderson
Baldwin	Golson	Luck	Simpson
Bartlett	Goode	McAdory	Smith
Beebe	Goodwyn	Martin	Starnes
Brunson	Graves	Merrill	Stewart (Calhoun)
Burns	Grove	Miller (Marengo)	Thompson
Byars	Guy	Miller (Sumter)	Tunstall
Carter	Harwood	Owens	Vickers
Cockrell	Hawkins	Patterson	Waddell
Darden	Jeter	Pitts	Ward (Geneva)
Deloney	Jordan (Etowah)	Powell	Ware
Denson			

—49

*Nays:**Messrs.:*

Mr. Speaker	Howard	Molette	Rivers
Anderson	Howell	Moxley	Sanders (Conecuh)
Bryant	Johnson	Nipper	Sanders (Pike)
Cannon	Jones (Cleburne)	Poole	Stephens
Edwards	Jordan (Washington)	Quillin	Tompkins
Fite	Lawler	Rankin	Ward (Tuscaloosa)
Hightower	Lee	Reeder	Webb
Hollis			

—29

H. 858. To amend Section 955, Code of Alabama 1923, as amended by Act approved September 29, 1923, Acts 1923, page 789.

Was read a third time at length and passed.

Yeas, 58; Nays, 10.

Yeas:

Messrs:

Adcock	Frey	Kirkpatrick	Sanders (Conecuh)
Allen	Golson	Lee	Sanderson
Anderson	Goode	Lovelace	Simpson
Ashcraft	Goodwyn	Martin	Smith
Baldwin	Graves	Merrill	Starnes
Bartlett	Grove	Miller (Marengo)	Stewart (Calhoun)
Beebe	Harwood	Miller (Sumter)	Tompkins
Brunson	Hawkins	Moxley	Tunstall
Bryant	Hightower	Owens	Vickers
Byars	Howard	Parish	Waddell
Carter	Howell	Patterson	Ward (Geneva)
Cockrell	Hughes	Pitts	Ward (Tuscaloosa)
Darden	Jeter	Reeder	Ware
Denson	Johnson	Ringer	Webb
Edwards	Jordan (Etowah)	Rogers (Mobile)	

—58

Nays:

Messrs.:

Mr. Speaker	Fite	Poole	Rankin
Burns	Hollis	Quillin	Tompkins
Cannon	Jones (Cleburne)		

—10

H. 511. To amend Section 5619 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 3.

Yeas:

Messrs:

Mr. Speaker	Edwards	Kirkpatrick	Rankin
Adcock	Frey	Lee	Reeder
Allen	Golson	Lovelace	Rogers (Mobile)
Baldwin	Goode	Luck	Sanders (Pike)
Bartlett	Graves	McAdory	Sanderson
Beebe	Grove	Martin	Shepherd
Brunson	Harwood	Matthews	Simpson
Bryant	Hawkins	Merrill	Smith
Burleson	Hightower	Miller (Marengo)	Starnes
Burns	Hollis	Miller (Sumter)	Stephens
Cannon	Howard	Molette	Stewart (Calhoun)
Carter	Hughes	Nipper	Thompson
Cockrell	Jeter	Parish	Vickers
Darden	Johnson	Patterson	Ward (Geneva)
Deloney	Jones (Cleburne)	Pegues	Ward (Tuscaloosa)
Denson	Jordan (Washington)	Quillin	Ware
Edmundson			

—65

Nays:

Messrs.:

Fite	Tompkins	Waddell	
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—3

H. 775. To prohibit the abandonment of a planted or growing crop or crops, to prescribe notice of intention to abandon such crop or crops, to prescribe the method of giving bond in case of abandonment, and to fix punishment for the unlawful abandonment of such crop or crops.

Was read a third time at length and passed.

Yeas, 57; Nays, 17.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jordan (Washington)	Patterson
Adcock	Frey	Kirkpatrick	Pegues
Allen	Golson	Langdon	Pitts
Anderson	Goode	Lawler	Poole
Baldwin	Goodwyn	Lovelace	Reeder
Bartlett	Graves	McAdory	Rogers (Mobile)
Beebe	Guy	Martin	Sanders (Concuh)
Brunson	Hampton	Matthews	Sanders (Pike)
Bryant	Harwood	Merrill	Stewart (Calhoun)
Burleson	Hightower	Miller (Marengo)	Tompkins
Burns	Howard	Molette	Tunstall
Cannon	Howell	Monk	Vickers
Carter	Jones (Cleburne)	Moxley	Ward (Geneva)
Cockrell	Jordan (Etowah)	Parish	Ware
Darden			

—57

Nays:

Messrs.:

Byars	Hollis	Rankin	Starnes
Christian	Jeter	Ringer	Stephens
Deloney	Powell	Rivers	Wallace
Fite	Quillin	Simpson	Webb
Hawkins			

—17

H. 513. To amend Section 8025 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 69; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Howard	Martin
Adcock	Denson	Howell	Matthews
Allen	Edmundson	Jeter	Merrill
Baldwin	Edwards	Johnson	Miller (Marengo)
Bartlett	Fite	Jones (Cleburne)	Miller (Sumter)
Beebe	Frey	Jordan (Etowah)	Nipper
Brunson	Golson	Jordan (Washington)	Owens
Burleson	Goode	Kirkpatrick	Parish
Burns	Goodwyn	Lawler	Patterson
Carter	Grove	Lee	Powell
Christian	Hawkins	Lovelace	Rankin
Cockrell	Hightower	Luck	Ringer
Darden	Hollis	McAdory	Rogers (Mobile)

Sanders (Conecuh)	Smith	Thompson	Waddell
Sanderson	Starnes	Tompkins	Ward (Geneva)
Shepherd	Stephens	Tunstall	Ware
Shivers	Stewart (Calhoun)	Vickers	Webb
Simpson			

—69

On motion of Mr. Tunstall all House Bills passed at the night session were ordered sent forthwith to the Senate without engrossment.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 11:00 A. M., on Aug. 11, 1927.

H. 681.

H. 573.

H. 574.

H. 417.

H. 638.

H. 691.

H. 555.

H. 693.

H. 351.

H. 692.

H. 219.

H. 868.

H. 636.

H. 905.

H. 907.

H. 743.

H. J. R. 66.

H. 816.

H. 870.

H. 878.

H. 788.

H. 747.

H. 728.

H. 727.

H. 721.

H. 324.

H. 672.

H. J. R. 155.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bill hereinafter mentioned was delivered to the executive department on the date and hour named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 3:35 P. M. on Aug. 11, 1927.

H. 955.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Jeter the House adjourned until 9:30 A. M. Friday August 12th, 1927.

FORTY-THIRD DAY

House of Representatives.
Montgomery, Alabama.
Friday, August 12th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Hollis of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Carter	Goodwyn	Hughes
Adcock	Christian	Graves	Jeter
Allen	Cockrell	Green	Johnson
Anderson	Cook	Grove	Jones (Bullock)
Ashcraft	Darden	Gullatt	Jones (Cleburne)
Baldwin	Deloney	Guy	Jordan (Etowah)
Bartlett	Denson	Hampton	Jordan (Washington)
Beebe	Desear	Harwood	Kirkpatrick
Brunson	Edmundson	Hawkins	Langdon
Bryant	Edwards	Hightower	Lawler
Burleson	Fite	Hollis	Lee
Burns	Frey	Howard	Lovelace
Byars	Golson	Howell	Luck
Cannon	Goode	Hubbard	McAdory

Martin	Parish	St. John	Thompson
Matthews	Patterson	Sanders (Conecuh)	Tompkins
Merrill	Pegues	Sanders (Pike)	Tunstall
Miller (Marengo)	Pitts	Sanderson	Vickers
Miller (Sumter)	Poole	Shepherd	Waddell
Molette	Powell	Shivers	Wallace
Monk	Quillin	Simpson	Ward (Geneva)
Morrow	Rankin	Smith	Ward (Tuscaloosa)
Moxley	Reeder	Starnes	Ware
Mullen	Ringer	Stephens	Webb
Nipper	Rivers	Stewart (Bibb)	Weldon
Norman	Rogers (Elmore)	Stewart (Calhoun)	Winn
Owens	Rogers (McBile)		

—106

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 42nd legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 42nd legislative day was approved.

By Mr. Adcock:

H. J. R. 233. Be it Resolved by the House, the Senate concurring, That the two Houses hereby tender our sincere thanks to Hon. W. O. Shivers and J. Marvin Moore for the splendid barbecue given the members of the House and Senate on August 11, 1927, and we favor the giving of more barbecues as it had such good effect on the two Houses.

And the Rules were suspended and the Resolution was adopted.

By Mr. Ringer:

H. 234. Resolved that H. 1020 be made a Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Pegues:

H. R. 235. Resolved by the House that on the 44th, 45th, 46th Legislative Days only House Bills be considered.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Grove:

H. R. 236. Relative to making S. 402; S. 424; S. 425; S. 423 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Starnes:

H. R. 237. Relative to making H. 668 and H. 667 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Moxley:

H. R. 238. Relative to making H. 591 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Waddell:

H. R. 239. Relative to making S. 426; H. 543; H. 809; H. 808; S. 427 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. J. R. 240. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Monday, August 15, 1927, and that beginning Monday, August 15, 1927, the two bodies hold three sessions each week said sessions to be held on Mondays, Wednesdays and Fridays.

And the Rules were suspended and the Resolution was adopted.

By Mr. Ward of Geneva:

H. R. 241. Relative to making H. 210 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 242. Making the following bills Special Orders, in the order named, for the 43rd Legislative Day.

H. 842; H. 1026; H. 935.

And that H. 586, be made a special paramount and continuing order for the hour of 11:00 o'clock a. m. on the 43rd Legislative Day and taking precedence over all other matters.

And the Rules were suspended and the Resolution was adopted.

By Mr. Goodwyn:

H. R. 243. Relative to making S. 409 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jordan of Etowah:

H. J. R. 244. Resolved, by the House, the Senate concurring, That a joint conference of the Committees on Constitution and

Constitutional Amendments be called for the purpose of consolidating the several pending Constitutional amendments into one Constitutional Amendment.

And on motion of Mr. Jordan of Etowah the Rules were suspended and the resolution was adopted.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Sanders of Conecuh (With Notice and Proof):

H. 1117. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

Local Legislation.

Notice and Proof H. 1117.

A PROPOSED BILL

Notice is hereby given that a bill will be introduced in the Legislature of Alabama during the 1927 session thereof, which bill is in substance as follows:

A bill to be entitled, An Act

"To fix the amount of the salary of the judge of the county court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said judge, drawn on the treasury of said county, and to make such warrants a preferred claim against the treasury of said county."

Be it enacted by the Legislature of Alabama:

Section 1. That there shall be paid out of the county treasury of Conecuh County, Alabama, to the judge of the county court of said county an annual salary in equal monthly installments of \$1,800.00, which shall be in lieu of all fees or compensation allowed by law to such judge for services rendered in and about such county court, the payment of such salary to be by warrant of such judge drawn on the treasury of the county. Such warrants shall be preferred claims against the treasury of said county.

Section 2. This Act shall become effective on its approval by the Governor.

State of Alabama,
Conecuh County.

Before me, W. S. Durden, Clerk Circuit Court in and for said State and County, personally appeared R. Gaston Bozeman, who being sworn says on oath that he is editor and publisher of the Evergreen Courant, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated July 21st, 1927, the second insertion being in issue dated July 28th, 1927, the third insertion being in issue dated August 4th, 1927, and the fourth insertion being in issue dated August 11th, 1927.

R. Gaston Bozeman.

Sworn to and subscribed before me this the 11th day of August, 1927.

(Seal)

W. S. Durden,
Clerk Circuit Court.

By Mr. McAdory :

H. 1118. To fix the compensation of the County Treasurer of all counties having a population of more than two hundred thousand according to the last or any subsequent Federal census.

Local Legislation.

By Mr. Frey: (With Notice and Proof) :

H. 1119. To fix the Salary of the Probate Judge of Jefferson County, Alabama, and to provide for paying same.

Local Legislation.

Notice and Proof H. 1119.

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama to fix the salary of the Probate Judge of Jefferson County, Ala., and to provide for payment of same.

State of Alabama,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State aforesaid, personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said State and county, who, being by me first duly sworn, deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call once a week for four consecutive weeks, commencing on June 25th, 1927.

Geo. M. Howle,
The Weekly Call.

Sworn to before me, and signed in my presence, this 18th day of July, 1927.

Bessie Stephens,
Notary Public.

By Mr. Lovelace:

H. 1120. To amend Section 2937 of the Code of Alabama, providing who shall be entitled to pensions as Confederate Soldiers or Sailors.

Pensions.

By Mr. Byars (With Notice and Proof) :

H. 1121. To provide that the members of the Board of Revenue of Lawrence County, Alabama shall each receive four dollars per day instead of three dollars for services rendered said County and to repeal all general, special or local laws in conflict with the provisions of this act.

Local Legislation.

Notice and Proof H. 1121.

NOTICE

Notice of local legislation affecting the citizens of Lawrence County.
Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama.

The substance of such bill is to provide that the members of the Board of Revenue of Lawrence County, Alabama, shall each receive four dollars

per day instead of three dollars for service rendered said county and to repeal all general, special or local laws in conflict with the provisions of this act. This July 7, 1927.

The State of Alabama,
Lawrence County.

Before me, W. R. Jackson, Judge of Probate, in and for said State and County, personally appeared Claude Hurst who being duly sworn according to law deposes and says that he is Associate Editor of the Moulton Advertiser, a newspaper published in Lawrence County, and as such editor he published notice of bill to be introduced in the Legislature amending general law as to members of the Board of Revenue of Lawrence County, for a period of four weeks, beginning on the 21st day of July, 1927, and ending on the 11th day of August, 1927.

Claude H. Hurst.

Sworn to and subscribed before me this the 11th day of August, 1927.

W. R. Jackson,
Judge of Probate.

By Mr. Ward of Tuscaloosa :

H. 1122. To adopt the Code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education."

Education.

By Mr. Edwards :

H. 1123. To authorize all counties in this State upon a petition addressed to the Judge of Probate by one fourth of the qualified electors of any county in this State, for a uniform stock law in any county; and to provide the method of calling an election therefor; and to provide for the recovery of damages by stock running at large.

Agriculture.

By Mr. Miller of Sumter :

H. 1124. In relation to the expexnditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000,000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of the State Bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

Judiciary.

By Mr. Miller (Sumter) :

H. 1125. To authorize and provide for the issuance and sale of State Bonds for the purpose of constructing and improving

public schools and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

Judiciary.

By Mr. Frey:

H. 1126. To create in all cities of the State of Alabama which have a population of as much as one hundred thousand people according to the last Federal census, or which shall have such population according to any such census that may be hereafter taken, special funds to be known as Policemen's Pension and Relief Funds, same created in connection with the regularly organized and paid police departments of such cities; to provide for the setting apart of such funds, to create a pension and relief system applicable to members of the police departments of such cities; to provide benefits under this Act for and to members of such departments as may be brought into such departments by merger from other municipalities in addition to members of such departments otherwise existing; to provide for the computation as to age or time of service of any member of any police department affected by this Act so that such members shall have added to his present service in the police department of the respective cities provided for herein any other service he may have had in either the fire or police department of his said city, and also as a police officer in any municipality which has been merged or taken into his said city; to provide for the creation of such funds and for appropriations to make up deficit therein and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall come under the provisions of this act; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the police department in such cities during their disability, and for the retirement of such members on pension, either by reason of term of service or disability; to provide for the pensioning of members of such police department after twenty years of service therein, the last five of which are consecutive years service; to provide for allowances or benefits to widows and children and dependent widowed mothers of such members of such police department in the event of death of such member; to provide for the appropriation for funeral expenses upon the death of such member; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide for applications to be made by widows and children or widowed mother for benefits; to provide that members receiving benefits shall be bona fide residents of the County in which the

City is located which creates the fund from which such members, respectively, receives benefit; to provide for gifts, donations, legacies or otherwise to be made to such funds and for the appointment of trustees for all purposes in connection therewith; and providing that any section or provision of the Act being held unconstitutional shall not affect the validity of any other section or provision; to provide when the Act shall take effect; to provide that all Laws and parts of Laws in conflict with the provisions of the Act be repealed.

Local Legislation.

By Mr. Frey:

H. 1127. To provide for the government and control by Civil Service Regulations of the Police and Fire Departments in cities of the State of Alabama having a population of one hundred thousand or more according to the last or any succeeding Federal census; and in such cities to continue Civil Service Board, provide for their appointment and selection; to provide that members of such departments shall remain and continue in their respective employment during good behavior subject to removal for cause; to provide for the meaning of "patrolman" and "officer" as contained in said Act and to designate who shall be officers of the Police Department, and to name offices and as to how offices in the Police and Fire Departments shall be filled; to vest authority in Civil Service Boards to create additional places in such departments; to provide that the Chief of Police shall be in supreme charge of the operation and management of the police department in his city subject to Law and rules and regulations of the Civil Service Board of his city; to provide the meaning of "members of the Fire Department;" to provide for the continuance of Civil Service Boards and for their power, duties and authority and their terms, and their appointments, and to fill vacancies thereon; to provide for the removal of any member of the Civil Service Board for incompetency and for other causes; to provide for applicants for places or positions in the Police and in the Fire Departments of such cities, their examinations; to authorize Civil Service Boards to change, add to, alter or rearrange positions, places and offices in said departments; to fix the age limit for applicants to such Police Department subject to reduction or change by the Civil Service Boards; to provide and fix a schedule of heights and weights for applicants for positions in the Police Departments, and for the control of all examinations of applicants; to provide that in such cities members of Fire Department below the rank of chief shall not be required to work more than one hundred sixty-eight hours in any two weeks except in cases of urgent emergency, and to provide authority in the Civil Service Board for readjustments in such Fire Department as to make said provisions effective; for the filling of va-

cancies in the ranks of patrolmen and firemen in said departments and to provide for probationers therein; to provide promotion and demotion committees in the Fire Departments and in the Police Departments in the cities coming under this Act, and granting authority, powers and duties thereto, and to name and designate the number of the promotion and demotion committees in said departments and from what classification of employees or members of such departments the promotion and demotion committees shall be filled, and to provide for promotions and demotions in such departments and the conditions under which demotions may be made, and the requirements with respect thereto and for the continuation of the membership of the promotion and demotion committees of such Fire and Police Departments with change of number and otherwise as to such Police Departments, and for the eligibility to appointment as a detective or plain clothes officers in the Police Department, and to provide for the filling of vacancies or places or positions to be filled by promotion; and for appointment for temporary service of police officers; and to provide against violation of the provisions of this Act or any part thereof; and to provide for the removal of members of the Fire or Police Department for cause and after trial before the Civil Service Board; and to provide in event of reduction in number of membership of either of said departments how the reduction shall be accomplished and for the reinstatement of those dropped; to provide that the Board shall have the power to administer oaths and for their meetings, and for reports to be made, and to provide for the compensation of the members of such civil service boards; and to provide penalties for violations of this Act; and to provide who shall be eligible to take examinations under this Act; and to provide that each Section thereof and part thereof are independent sections and parts of sections and that the holding of any section or part thereof to be void, ineffective or unconstitutional shall not affect the other sections or part thereof; to provide when the Act shall take effect and that all laws or parts of laws inconsistent herewith be repealed

Local Legislation.

By Mr. Howard (With Notice and Proof) :

H. 1128. To amend an Act entitled an Act to establish an Inferior Court of Autauga County, Alabama, in lieu of all Justices of the Peace and Notary Public Ex-Officio Justices of the Peace in Prattville Precinct, or Precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said Court and the Judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the Judge and other officers of said court, and the manner of their appointment or election and the payment of

their salaries; and to define the jurisdiction and powers of said court and the Judge thereof.

Local Legislation.

Notice and Proof H. 1128.

Notice is hereby given that the following bill will be introduced to the Legislature:

A BILL

To be entitled An Act to establish an Inferior Court of Autauga County, Alabama, in lieu of all Justices of the Peace and Notary Public Ex-Officio Justices of the Peace in Prattville Precinct, or Precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said Court and the Judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the Judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the Judge thereof.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 15 of said Act be amended to read as follows:

That, in addition to the bond, now required of the custodian, of the general fund of Autauga County, the custodian shall furnish such additional bond as may be deemed necessary by the Board of Revenue of Autauga County, which shall be paid for in the same manner as is now provided for under the general laws of the State of Alabama. And for performance of such service, said custodian shall receive a salary of One Hundred and Twenty Dollars per annum, to be paid out of said fund in twelve equal payments drawn by the custodian upon said fund, and shall not be a charge upon the general fund of the county.

Section 2. That this bill shall become effective upon its passage and approval by the Governor.

State of Alabama,
Autauga County.

Before me, J. F. Posey, Probate Judge of Autauga County, Alabama, personally appeared Harry M. Doster, known to me to be the publisher of The Prattville Progress, who certifies that the notice, copy of which is hereto attached, was published in four consecutive issues of said paper, on dates July 21, July 28, August 4, August 11.

Harry M. Doster, Publisher.

Sworn to and subscribed before me, this 11th day of August, 1927.

J. F. Posey,
Judge of Probate.

By Mr. Graves (With Notice and Proof) :

H. 1129. To amend Section 6 of an Act entitled An Act to enlarge and extend the jurisdiction of the circuit court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court, approved September 20, 1923, to increase the salary of the Deputy Clerk and Register of said Court to Nine Hundred Dollars per annum, and to increase the salary of the Deputy Sheriff of said Court at Alexander City to Fifteen Hundred Dollars per annum.

Local Legislation.

Notice and Proof H. 1129:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama, at the present session thereof, and the said Legislature will be asked to pass, a bill to amend Section 6 of an Act entitled An Act to enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said county, and to provide for the holding of regular terms of said court, approved September 20, 1923, the substance of said amendment will be to provide that the Deputy Clerk and Deputy Register for said court shall be paid a salary of Nine Hundred (\$900.00) Dollars per annum instead of \$600.00 as now provided by said Act, and that the Deputy Sheriff for said court at Alexander City, Alabama, shall be paid a salary of Fifteen Hundred (\$1,500.00) Dollars, instead of Six Hundred Dollars as now provided by said Act, the substance of said bill will be as follows:

Be it enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act to enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said county, and to provide for the holding of regular terms of said court, approved September 20, 1923, be amended so as to read as follows:

Section 6. That the Clerk and the Register in Equity of the Circuit Court of Tallapoosa County shall be Clerk and Register of the Circuit Court at Alexander City, and the Sheriff of Tallapoosa County shall perform all the duties of Sheriff for said Court, either in person or by Deputy, and said Sheriff and the Clerk of the Circuit Court of said county shall keep offices at the courthouse at Alexander City where all records, papers and files pertaining to said court shall be safely kept, and said offices shall be kept open for the transaction of the business of said court at all reasonable hours. And the Sheriff of said county shall keep a regular Deputy at Alexander City as he is now required to do for the transaction of the business of said court, and the Clerk of the Circuit Court of said county shall provide and keep a Deputy Clerk at Alexander City as he is now required by law to do, and such deputy may perform, as deputy, all the duties of Register of the Circuit Court in equity, and for his services as Deputy Clerk and Deputy Register in equity he shall receive Nine Hundred (\$900.00) Dollars per annum, to be paid in monthly installments out of the county treasury, on warrants to be drawn by the Judge of Probate for said county, and the Deputy Sheriff, for his services shall receive Fifteen Hundred (\$1,500.00) Dollars per annum to be paid in like amount and in like manner. That the Sheriff shall summon two regular qualified constables, serving on the west side of the Tallapoosa river, in said county, to attend upon the terms of said court and to perform the duties of Bailiffs of said court, and for their services they shall receive the regular compensation of Bailiffs of the Circuit Court at Dadeville, in said county, and shall be paid in the usual way that such bailiffs are paid.

State of Alabama,
Tallapoosa County.

Before me, the undersigned authority in and for said county in said State, personally appeared E. C. Hall, who is known to me, and who, being by me first duly sworn, deposes and says as follows: That he is Editor and Publisher of the Alexander City Outlook, a weekly newspaper published at Alexander City, in said county; that he was such Editor and Publisher of said newspaper for the dates hereinafter mentioned; that the notice, a copy of which is hereto attached, was published in said newspaper for four con-

secutive weeks as follows, to-wit: July 21st, July 28th, August 4th and August 11th, 1927.

Subscribed and sworn to before me this the 11th day of August, 1927.
 (Seal) E. C. Hall.
 H. O. Garrett,
 Circuit Clerk.

By Mr. Monk:

H. 1130. To prohibit the running of certain amusements for pay on Sunday.

Municipal Organization.

BILLS ON SECOND READING

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 278. To amend Section 1063 of the Code "County Quarantine Officers; How Appointed, Salary, Etc.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

(With substitute):

H. 1074. To authorize the tax assessor and tax collector in counties having a population of more than two hundred thousand inhabitants, according to the last or any subsequent federal census, to employ and fix the compensation of clerks or assistants; to require such officers to certify the names of such clerks or assistants, with amount due each, to the Board of Revenue or other governing body of such counties and require such Board or Revenue or other governing body to draw warrants on the county treasury for the payment of same; to provide a limit to such expenditure.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 295. To amend Section 5 of an act approved Sept. 29th, 1919 entitled, an act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said County; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that said Section 5 as amended shall read as follows:

H. 1037. To fix the compensation of Circuit Clerks of all Counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal Census.

S. 358. To regulate appeals by and in behalf of counties in this State, having according to the last or any subsequent federal census two hundred thousand inhabitants or more.

H. 1116. To require the Tax Collector, Tax Assessor, Sheriff, Probate Judge and Clerk of the Circuit Court and all other County officers in counties having a population of two hundred thousand or more according to the last or any subsequent federal census, where such officers are paid a salary out of the county treasury to pay all fees commissions or charges of court received by them in the course of the administration of their office into the county Treasury, and to vest the property right to such fees, commissions or charges of court in the County paying the salaries of such officers.

S. 499. For the relief of County Treasurers of Counties, which counties constitute a Judicial Circuit, having five or more Circuit Judges, who have erroneously paid monies to assistant solicitors under the act approved August 22, 1923.

H. 1102. To regulate the appointment of a guardian ad litem for infants and insane persons in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 443. To amend Section 8 of an act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government, approved April 8, 1911.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1051. To amend Section 5522 of the Code of Alabama of 1923.

H. 1050. To amend Section 5523 entitled salaries of Deputy Solicitors of the Code of 1923.

The above and foregoing bills were severally read a second time and placed on the calendar.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

S. 238. The above and foregoing bill was read a second time and placed on the Adverse Calendar.

NOTICES IN WRITING

One day's notice is hereby given under Rule 34 of the House that on the next Legislative Day the following motion will be made:

Move that the House Standing Committee on Judiciary be, and that Committee hereby is, directed to act on Senate Bill 275 and report the same to this House at the next sitting of this House.

Tompkins of Houston.

NOTICE TO TAKE FROM ADVERSE CALENDAR

Notice is hereby given that on the next Legislative Day I will move to take Senate Bill No. 238 By Mr. Williams, fixing the salary of the Judges of the Court of Appeals from the adverse calendar and place it on the Regular calendar.

L. A. Sanderson.

NOTICE TO TAKE FROM ADVERSE CALENDAR

Notice is hereby given that on the next Legislative Day I will move to take from Adverse Calendar H. 661, Chiropractic Bill, and place same on the regular Calendar of the House.

R. M. Guy.

BILLS TAKKEN FROM ADVERSE CALENDAR

Mr. Miller of Marengo called up his motion to take the Bill:
By Mr. Miller of Marengo:

H. 919. To encourage the better production of agricultural products; raising better live stock and poultry; advancement of

horticulture, Boy's and Girl's Club Work, culinary arts, domestic science, women's work and to appropriate moneys for that purpose and to provide for the way the same shall be done.

From the Adverse Calendar of the House and place same on the regular calendar of the House for passage. And the motion of Mr. Miller of Marengo prevailed.

Yeas, 59; Nays, 31.

Yeas:

Messrs.:

Allen	Goodwyn	Lovelace	Pitts
Anderson	Graves	Luck	Rivers
Beebe	Green	McAdory	Rogers (Elmore)
Burns	Grove	Martin	Rogers (Mobile)
Byars	Guy	Matthews	St. John
Carter	Harwood	Merrill	Sanders (Conecuh)
Cockrell	Hawkins	Miller (Marengo)	Sanderson
Darden	Howard	Miller (Sumter)	Shepherd
Denson	Hubbard	Mollette	Shivers
Edmundson	Jeter	Monk	Simpson
Edwards	Jones (Bullock)	Mullen	Stewart (Calhoun)
Fite	Jones (Cleburne)	Norman	Vickers
Frey	Jordan (Etowah)	Owens	Waddell
Golson	Kirkpatrick	Parish	Winn
Goode	Lee	Patterson	

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Nays:

Messrs.:

Adcock	Deloney	Pegues	Stephens
Baldwin	Hampton	Poole	Stewart (Bibb)
Bartlett	Hightower	Powell	Ward (Geneva)
Brunson	Hollis	Quillin	Ward (Tuscaloosa)
Bryant	Hughes	Rankin	Ware
Burleson	Johnson	Reeder	Webb
Christian	Moxley	Sanders (Pike)	Weldon
Cook	Nipper	Smith	

—31

And the Bill:

By Mr. Miller of Marengo:

H. 919. To encourage the better production of agricultural products; raising better live stock and poultry; advancement of horticulture, Boy's and Girl's Club Work, culinary arts, domestic science, women's work and to appropriate moneys for that purpose and to provide for the way the same shall be done.

Was read a second time and placed on the calendar.

Mr. Jeter called up his motion to take the Bill:

S. 89. To provide for the relief of Charles E. Wilder; to pay his compensation for services rendered the State as Special Circuit Judge in the Tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to-wit, from April 14th to May 25th. 1924.

From the Adverse Calendar and place same on the regular calendar of the House and the motion of Mr. Jeter prevailed and the Bill:

By Mr. Fite (With notice and proof):

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Circuit Judge in the Tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to-wit, from April 14th to May 25th, 1924.

Was read a second time and placed on the Calendar.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 741. To Reduce the Corporate Limits of the City of Tuscaloosa, Alabama, by altering and rearranging its boundary lines.

Also:

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Also:

H. 554. To establish an inferior court in precinct twelve of Jefferson County, Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precinct twelve of Jefferson County, Alabama, and to define the jurisdiction and powers of said court and of the judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all justice of the peace, and notary public ex-officio justice of the peace in said precinct.

Also:

H. 243. To create the 23rd Judicial Circuit of Alabama; to provide for the appointment and election of a judge and solicitor therefor; and to fix their salaries.

H. 55. To submit to the qualified voters of the State of Alabama, at the general election to be held in November, 1928, for their consideration, an amendment to the constitution of the State of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances to be charged or received by any county officer of

Mobile County, Alabama, including the Sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method or basis of their compensation.

Be it Enacted by the Legislature of Alabama :

Section One. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration, as hereinafter set forth, viz: 'The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances to be charged or received by any County Officer of Mobile County Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation.'

Section Two. That it shall be the duty of the Governor of Alabama to give notice by proclamation to be published in one newspaper in each county in the State of Alabama at least eight successive weeks next preceding the general election in November, 1928, of the election on the amendment proposed by this Act to be submitted to the qualified voters of the State of Alabama for their consideration together with the proposed amendment.

Section Three. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment. Upon the ballots used at such election shall be printed the following, viz: Amendment to Constitution, authorizing the legislature of Alabama, by general or local laws, from time to time, to fix, regulate and alter the costs, charges of courts fees, commissions, allowances to be charged or received by any county officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross-mark by him or her opposite the word expressing his or her desire.

Section Four. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon the proposed amendment the votes cast thereat shall be canvassed, tabulated and the returns thereof be made to the Secretary of State and counted in the same manner as in elec-

tions for Representatives to the Legislature of Alabama, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor of Alabama.

And finds same correctly enrolled.

Robert B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 606. To amend an act entitled an act to amend an act to establish a county court for Morgan County; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County. approved September 19, 1923.

H. 760. To amend Sections 2 and 4 of an Act entitled "An Act to provide for the election of a county solicitor for Monroe County, to define his duties and fix his compensation", approved September 25th, 1919.

H. 847. To establish an inferior court in precinct 1, Russell County, Alabama, in lieu of all justice of the peace courts in said precinct, and to define the jurisdiction and powers of said court and the judges thereof, to provide for the execution of processes of said court and the operation thereof, to provide for the appointment, election, term of office, qualification and compensation of the judge thereof, and to abolish the offices of all justices of the peace in said precinct.

H. 817. To alter or rearrange the boundary lines of the City of Tuscombua, Alabama, so as to include within the corporate

limits of said municipality the following additional adjacent territory.

H. 577. To repeal an act entitled "An act to make it lawful for any person or persons to use fish traps with fingers or slats not less than one and one-half inch apart for the purpose of taking or catching fish in that part of Coosa River that lies within St. Clair County, Alabama and to further regulate the operation of such traps, approved September 24, 1923.

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

H. 634. For the relief of the Decatur Cornice & Roofing Company, Inc., a Corporation, and to authorize, empower and require the City Council of the City of Decatur, Alabama, to pay to the said Company the sum of One Hundred Ninety and no-100 Dollars, (\$190.00), for the purpose of refunding to the said company the said sum, which it erroneously over-paid to the City of Albany, Alabama, on the taxes on its personal property for the year 1919, and to reimburse the said Company in the sum so over-paid.

H. 355. To fix and determine the boundary line of that portion of the city of Gadsden, Alabama, that lies east of the Coosa River and to incorporate within the corporate limits of the city of Gadsden the territory bounded by said line and the east bank of the Coosa River.

H. 828. To amend an act entitled an act, "To further prescribe the duties of County Treasurers in Counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31st, 1921.

H. 282. To amend Article 5, Chapter 144, Sections 4158, 4159 and 4160 of the Code of 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment:
By Mr. Fite:

S. 442. To authorize the City School Board or City Board of Education or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

By Mr. Ellis of Shelby (with Notice and Proof):

S. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes, and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

With Notice and Proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Shelby County. }

Luther Fowler, of Columbiana, Alabama, being sworn says: That he is the publisher of the Shelby County Reporter, a newspaper published in Shelby County, Alabama. That the following notice, viz:

NOTICE TO THE PUBLIC.

Is hereby given that application will be made to the Legislature of Alabama, which will resume its session of 1927-28 on the 7th day of June for the enactment of

A BILL

To be entitled an act to provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes, and to make an appropriation therefor and to provide a commission to ascertain the amount of such relief.

Said bill is to make provision for and pay to the widow for herself and the minor children compensation for the loss of the life of said Stancil R. Stearnes, while in the service of the State as Superintendent of Convicts being worked by the State in the Montevallo Mining Co., at Aldrich Coal Mines in Shelby County by falling rock or stones on or about the 21st day of February, 1927.

Dated this the 7th day of June, 1927. Mrs. Stancil R. Stearnes.

Was published in said newspaper once a week for four (4) consecutive weeks, beginning with the first issue, 16th day of June, 1927.

Luther Fowler.

Sworn to and subscribed before me on this the 7th day of July, 1927.
(SEAL)

L. B. Riddle,

Judge of Probate.

My commission expires on the 15th day of January, 1929.

By Mr. Fite (With N. & P.):

S. 441. To authorize Jefferson County, Alabama, to acquire by condemnation the whole or a part of block twenty-one known as Woodrow Wilson Park, in the City of Birmingham, Alabama, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its present session, for the enactment into law of the following bill:

A BILL

To be entitled an Act to authorize Jefferson County, Alabama, to acquire by condemnation the whole or a part of block twenty-one known as Woodrow Wilson Park, in the City of Birmingham, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

Be it enacted by the Legislature of Alabama:

Section 1. The County of Jefferson is hereby authorized to condemn the whole or a part of Block Twenty-one known as Woodrow Wilson Park in the City of Birmingham, Alabama, for the erection of a court house and jail thereon for the use of Jefferson County, Alabama.

Section 2. Proceedings for such condemnation shall be instituted and carried on by the Court House Commission and said county in the name of Jefferson County, Alabama.

Section 3. Notice of the application for such condemnation shall be given to the City of Birmingham, Alabama, and the damages assessed on any such condemnation when paid shall be held and used by the City of Birmingham for public park purposes exclusively.

Section 4. After the damages and compensation shall have been ascertained and assessed in any such proceeding, it shall be optional with the Court House Commission of Jefferson County, Alabama, either to pay the same or decline to pay them, and in the latter event said County shall be liable for the costs of such proceedings and for no other damages.

Section 5. The fees of attorneys for the county in any such proceeding as well as the damages and compensation required to be paid, if the Court House Commissioners of Jefferson County shall determine that it is to the interest of the county to pay the same, shall be payable out of the funds in the treasury of said county realized from the sale of bonds for the erection of a court house, on warrants issued by the Board of Revenue of said County, which warrants shall be issued on the requisition of said Court House Commissioners.

Section 6. Except as herein provided, any such condemnation proceedings shall be governed by the general laws of the state applicable and relating to such proceedings.

Section 7. If any section or provision of this Act shall be declared unconstitutional, the validity of the other provisions of the Act shall not be affected thereby.

STATE OF ALABAMA,

County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on July 2nd, 1927.

Geo. M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 23rd day of July, 1927.

Bessie Stephens,
Notary Public.

By Mr. Fite:

S. 347. To provide for the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

By Mr. Oliver (with notice and proof):

S. 517. To fix the salary of the deputy solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

Judiciary.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

Notice is hereby given that the following bill will be introduced at the present session of the Legislature of Alabama:

To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year and to provide for the payment thereof.

Be it enacted by the Legislature of Alabama:

Section I. That the salary of the Deputy Solicitor for Talladega County, Alabama, be, and the same hereby is, fixed at the sum of twelve hundred (\$1,200.00) dollars per year, payable out of the general fund of said county in monthly installments of one hundred (\$100.00) dollars each, upon warrants drawn by the judge of probate of said county on the treasury of said county on the first of each month.

Section II. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section III. That this Act shall go into effect immediately upon its passage and approval by the Governor.

State of Alabama,

Talladega County.

Before me, M. N. Manning, a Notary Public in and for said County, personally appeared Tom R. Williams, who is known to me, and who being by me first duly sworn, on oath deposes and says that he is Assistant Editor and Publisher of the "Our Mountain Home", a newspaper published in Talladega County, Alabama; that the publication, without cost to the State, of a certain notice that a bill to fix the salary of the Deputy Solicitor for Talladega County, Alabama, would be introduced in the Legislature of Alabama, a true and correct copy of which said notice is hereto attached, has been made in said newspaper once a week for four consecutive weeks in the issues thereof dated July 13th, 1927; July 20th, 1927; July 27th, 1927; and August 3rd, 1927.

Tom R. Williams.

Sworn to and subscribed before me this August 3rd, 1927.

M. N. Manning,

Notary Public, Talladega County, Alabama.

By Mr. Young:

S. 486. To provide for the extension of the corporate limits of certain municipalities so as to include contiguous territory in which is situated public school buildings used for the benefit of the residents of such municipality.

By Mr. Loflin (With N. & P.):

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of county Commissioners of said county; to divide said County of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to Courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue fixing their term of office, and providing for the election of their successors.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama when the same re-convenes in June, 1927, for the passage of the following bill, to-wit:

A BILL

To be entitled an Act to create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of County Commissioners of said county; to divide said County of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to Courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, fixing their term of office, and providing for the election of their successors.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in and for the County of Pike, a Board of Revenue of Pike County, to be composed of five members, one of whom shall be Chairman of said Board, and all of whom shall be qualified voters of said county.

Section 2. The Court of County Commissioners of Pike County, as now constituted, is hereby abolished upon the approval of this act, and there is hereby conferred upon said Board of Revenue all jurisdiction and powers which are now or may hereafter be vested by law in Courts of County Commissioners, Boards of Revenue, or other like governing bodies of the several counties of this State.

Section 3. That the County of Pike, be and the same is hereby divided into four Board of Revenue Districts, to be numbered one, two, three and four. That said districts shall bear the same numbers as the Commissioners Districts heretofore established and now existing, and shall each be composed of that part of said County embraced within the Commissioners District of corresponding number.

Section 4. That said Board of Revenue here established for the County of Pike shall be constituted and composed as follows: The Probate Judge of Pike County, as ex-officio chairman and clerk of said board, whose term of office shall run concurrently with the term of office of the Probate Judge, the present members of the Court of County Commissioners from the first and third Commissioners Districts, who shall hold office until the first Monday after the second Tuesday in January, 1934, and until their successors are elected and qualified; the present members of the Court of County Commissioners from the second and fourth Commissioners Districts, who shall hold office until the first Monday after the second Tuesday in January, 1932, and until their successors are elected and qualified.

Section 5. That at the general election held for state and county officers to be held on the first Tuesday after the first Monday in November, 1932, and every four years thereafter, there shall be elected a member of the Board of Revenue from each of the second and fourth Board of Revenue District; and at the general election for state and county officers to be held on the first Tuesday after the first Monday in November, 1934, and every four years thereafter, there shall be elected a member of the Board of Revenue from each of the first and third Board of Revenue Districts. The said members so elected shall be residents and qualified voters of the districts they represent, and shall be elected by the qualified voters of

district, and shall be over the age of 21 years, and of good moral character. Vacancies in office shall be filled by appointment by the Governor, and any person appointed to fill a vacancy shall hold office for the unexpired term, and until his successor shall be elected as hereinabove provided. Any person appointed to fill a vacancy shall have the same qualifications as to residence and character as required of the elective members.

Section 6. That the members of the Board of Revenue, except the Judge of Probate, shall each be entitled to receive Six Dollars per day for each days attendance upon the meetings of said board, and seven cents per mile traveled while engaged in the performance of their official duties; the Probate Judge, as ex-officio chairman of said board, shall receive the sum of Six Dollars per day each day that he is in attendance upon the meetings of said board, shall receive the sum of Six Hundred Dollars per annum, payable in quarterly installments, which shall be in addition to and not in lieu of such compensation as may be allowed such Probate Judge as ex-officio fees for performance of duties in relation to the public roads by said Board of Revenue. All of the compensation herein provided for shall be payable out of the county treasury, provided, that no member of said board shall receive compensation for his per diem services for more than one hundred and twenty days during any one calendar year. The per diem and mileage compensation of the members of said Board of Revenue shall be paid on claims itemized and verified by affidavit, and audited, allowed and ordered paid as other claims against the county.

Section 7. That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby repealed.

Section 8. That this act shall take effect upon its approval by the Governor.

STATE OF ALABAMA,

Pike County.

Before me, J. G. Key, Judge of Probate, in and for said county, personally appeared B. G. McCalman, who being by me first duly sworn, deposes and says as follows:

That he is the business manager and editor of the Troy Herald, a newspaper published in Troy, Pike County, Alabama; that the foregoing notice to establish a board of revenue in and for said Pike County Alabama, was published once a week for four consecutive weeks, in the said newspaper, before making of this affidavit, said notices appearing in the following issues of said paper, to-wit: May 17, 1927, May 24, 1927, May 31, 1927. and June 7, 1927.

B. G. McCalman

Sworn to and subscribed before me this the 20, day of June, 1927.

J. G. Key,

Judge of Probate.

By Mr. Young:

S. 111. To provide that if, upon the trial of a defendant charged with perjury, it appears that the defendant gave testimony in a former trial or proceeding in court it will be presumed that before such defendant gave his testimony in such former trial or proceeding, he was legally sworn or affirmed by a court or officer authorized to administer oaths or affirmations to parties or witnesses giving testimony in such former trial or proceeding.

By Mr. Stokes:

S. 290. To amend Section 7203 of the Code of Alabama of 1923.

By Mr. Williams:

S. 277. To authorize the Court of County Commissioners or other governing body of the county to authorize the Probate Judge or the Clerk or Register of any Court of Record to index or reindex or contract therefor the records of his office or court or to recopy any records that the court deems necessary.

By Mr. Teasley:

S. 492. To amend Section 5645 of the Code of Alabama of 1923.

By Mr. Mitchell:

S. 265. To amend Section 10309, Code of Alabama, 1923.

By Mr. Williams:

S. 415. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

By Mr. Oliver:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School buildings and lands.

By Mr. Williams (With N. & P.):

S. 397. To appropriate the sum of \$700.00 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

With notice and proof herewith exhibited as follows:

A Bill to be Entitled an Act to appropriate the sum of \$1,000 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

Be it Enacted by the Legislature of Alabama as follows:

Section I. That there is hereby appropriated out of the general funds of the state, not otherwise expended, the sum of \$1,000 for the relief of Frank Rogers, who, as a State convict lost one of his eyes, which injury and loss was suffered by him and without his fault while so serving as such convict.

Section II. This act shall take affect immediately on being passed and approved by the Governor of Alabama.

STATE OF ALABAMA,

Franklin County.

The above and foregoing bill will be introduced and its passage insisted upon during the forthcoming adjourned session of the Legislature.

This 11th day of June, 1927.

Travis Williams.

STATE OF ALABAMA,

Franklin County.

Before me, the undersigned authority, personally appeared W. B. Norris, who is Assistant Editor and Publisher at Russellville, Franklin County, Alabama, who on oath says that he has personal knowledge of the facts herein set out, and that the notice hereto attached was published in the Franklin Times 4 consecutive weeks, said publications being on June 16, 1927, June 23, 1927, June 30, 1927 and July 7, 1927.

W. B. Norris,

Sworn to and subscribed before me, this July 13, 1927.

W. L. Chenault.
Notary Public.

By Mr. Ellis of Dallas:

S. 395. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

By Mr. Cowan:

S. 432. To amend Sections 1438 and 1453 of the Code of 1923.

S. 447. To amend Section 21 of an Act approved September 13, 1923, relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama.

By Mr. Carlton:

S. 361. To amend Section 1349 of the Code of Alabama, 1923.

By Mr. Edgar:

S. 477. To provide for the codification of all local and special laws of the Legislature of Alabama, now in force and effect, and to make an appropriation for the same.

By Mr. Craft:

S. 409. Authorizing the creation of the Board of Trustees of the "John T. Morgan Memorial Association," and conferring upon said body by charter issued to it by the Legislature of Alabama, the power of self-perpetuation and to do any and all things as in this Act provided, and providing for the appropriation of Fifteen Thousand (\$15,000.00) Dollars in aid of the construction of a monument as a tribute in recognition of the eminent public services of John T. Morgan, said monument to be erected on or near the Capitol grounds in Montgomery, Ala.

By Mr. Teasley:

S. 493. To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

By Mr. Teasley:

S. 512. To repeal Schedule 103 of Section 361 of an Act to provide for the general revenues of the State of Alabama approved September 15, 1919.

By Mr. Oliver:

S. 487. To authorize the State Board of Education to prepare and maintain a register of those blind persons living in the State of Alabama in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing home industries; to aid in furnishing books, materials, and tools for rehabilitation of the blind; to devise other means of helping them; to provide for an annual report on the activities of the State Board of Education in connection therewith; and to make an appropriation for carrying out the provisions of the Act.

By Mr. Stokes (by request):

S. 491. To create the office of Bond Commissioner, to define his duties and to fix his salary, and make appropriation therefor.

By Mr. Stokes (by request):

S. 509. To amend Section 754 of the Code of Alabama of 1923.

By Mr. James:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

Local Legislation, S. 442, S. 441, S. 517, S. 445.

Appropriations, S. 360, S. 265, S. 274, S. 397, S. 409, S. 395, S. 487, S. 491.

Judiciary, S. 347, S. 111, S. 290, S. 415, S. 477, S. 509.

Municipal Organization, S. 486.

Revision of Laws, S. 277, S. 492, S. 493.

Public Health, S. 432.

Public Roads and Highways, S. 361, S. 447.

Military, S. 320.

Ways and Means, S. 512.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 779. To authorize the court of county commissioners, board of revenue or other governing body of Elmore County, Alabama, to fix the salary of the chief deputy sheriff of said county.

H. 341. To amend the incorporation Laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Weldon the House concurred in and adopted the Senate amendment to the bill H. 779, said Senate amendment being as follows:

Committee amendment to H. 779:

Amend said H. 779 by striking therefrom the words "Twenty-four Hundred" where they appear in said bill, and inserting in lieu thereof the words "Eighteen Hundred".

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Baldwin	Fite	Monk	Ringer
Bartlett	Frey	Morrow	Rivers
Beebe	Golson	Moxley	Rogers (Elmore)
Bryant	Goode	Mullen	Shepherd
Burns	Goodwyn	Nipper	Shivers
Byars	Graves	Norman	Simpson
Cannon	Green	Owens	Smith
Carter	Grove	Parish	Starnes
Christian	Gullatt	Patterson	Tunstall
Cockrell	Guy	Pegues	Vickers
Cook	Lawler	Pitts	Waddell
Darden	Lee	Poole	Wallace
Deloney	Luck	Powell	Ware
Denson	Martin	Quillin	Webb
Desear	Merrill	Rankin	Weldon
Edmundson	Molette	Reeder	Winn
Edwards			

And on motion of Mr. Long (Mr. Goode presiding) the House concurred in and adopted the Senate amendment to the bill H. 341, said Senate amendment being as follows:

Senate Committee Amendment No. 1 to House Bill No. 341:

Amend caption of said House Bill No. 341 so as to make same read as follows:

H. 341. A bill to be entitled An Act to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama.

Committee Amendment No. 2 to House Bill No. 341:

Amend section one of said House Bill No. 341 by striking therefrom the first sentence thereof and by substituting the following sentence, namely: "Section 1. Be it enacted by the Legislature of Alabama that incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama, and the Chairman of the State Tax Commission of Alabama, be and hereby is authorized, for the purpose of constructing, or causing to be constructed, bridges nad approaches thereto for public use on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising necessary funds for such purposes; to prescribe the rights and powers of the purchasers of any bonds issued hereunder; to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama, as follows:

Authority to Incorporate.—The Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission may become a corporation with the power and authority hereinafter defined, by proceeding according to the provisions of this article."

Committee Amendment No. 3 to House Bill No. 341:

Amend subdivision six of section one of said House Bill No. 341 by adding thereto, at the end thereof the following words, namely: "or the interest on said bonds may be paid by the State

of Alabama out of the net proceeds from the State Convict Fund of Alabama ;or interest on said bonds may be paid by the State of Alabama out of any other funds in the Treasury of said State, all three of said funds being hereby charged with and made liable for the payment of all interest on said bonds."

Amend House Bill No. 341 by striking from Subdivision 5 of Section 1 on page 4 of said bill as printed the following words: "to fix the location of each of such bridges, and"; and,

Further amend said bill by striking from Subdivision 7 of Section 1 on page 5 of said bill as printed lines numbered 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26; and from said Subdivision 7 of Section 1 page 6 of said bill as printed lines numbered 1, 2, 3, 4, 5 and 6; and by substituting in lieu thereof the following words, viz.: "Said corporation herein provided for shall build and construct fifteen bridges in Alabama under the provisions of this Act but all of said fifteen bridges shall be located by the State Highway Commission of Alabama."

Amend House Bill No. 341 by adding the following paragraph after line 16, page 6, to read as follows:

The Corporation is hereby given authority to contract with the Board of Revenue, Court of County Commissioners, or like governing body of any county in which a bridge may be constructed under the provisions of this Act, for said county to pay annually a sum of money to be agreed upon by the corporation and said county authority; said sum of money to be in lieu of all toll for residents of said county; said sum of money to be paid only so long as the named bridge is under toll.

Yeas, 60; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	McAdory	St. John
Adcock	Golson	Matthews	Sanders (Conecuh)
Allen	Goode	Merrill	Sanderson
Anderson	Green	Miller (Marengo)	Shepherd
Baldwin	Grove	Miller (Sumter)	Simpson
Beebe	Hightower	Nipper	Smith
Brunson	Howell	Norman	Starnes
Bryant	Hughes	Owens	Stewart (Calhoun)
Carter	Jeter	Parish	Thompson
Cockrell	Jones (Bullock)	Patterson	Tunstall
Cook	Jones (Cleburne)	Pegues	Vickers
Deloney	Jordan (Etowah)	Pitts	Ward (Tuscaloosa)
Denson	Jordan (Washington)	Poole	Ware
Edmundson	Lovelace	Reeder	Webb
Fite	Luck	Ringer	Weldon

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following resolution:

Rules Committee:

S. J. R. 88. Be it resolved by the Senate, the House concurring: That when the two houses adjourn today, they adjourn to meet on Tuesday, the 16th, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goode the House concurred in and adopted the S. J. R. 81 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 54. To pay the Town of Livingston for school building and lot conveyed by said town to the State for the State Normal School located at Livingston.

Was read a third time at length and passed.

Yeas, 72; Nays, 5.

Yeas:

Messrs:

Adcock	Green	Lovelace	Rogers (Mobile)
Allen	Grove	Luck	Sanderson
Anderson	Guy	McAdory	Shepherd
Ashcraft	Hampton	Martin	Simpson
Beebe	Harwood	Merrill	Smith
Brunson	Hawkins	Miller (Marengo)	Starnes
Burleson	Hightower	Miller (Sumter)	Stephens
Burns	Hollis	Molette	Stewart (Calhoun)
Carter	Howell	Monk	Thompson
Cockrell	Hubbard	Mullen	Tunstall
Cook	Hughes	Nipper	Vickers
Darden	Jeter	Owens	Waddell
Denson	Jones (Bullock)	Parish	Ward (Geneva)
Edmundson	Jones (Cleburne)	Patterson	Ward (Tuscaloosa)
Frey	Jordan (Etowah)	Pitts	Ware
Golson	Jordan (Washington)	Powell	Webb
Goode	Kirkpatrick	Reeder	Weldon
Graves	Lawler	Ringer	Winn

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Nays:

Messrs.:

Mr. Speaker	Cannon	Deloney	Fite
Baldwin			

—5

And on motion of Mr. Miller of Sumter the bill H. 54 was ordered sent forthwith to the Senate without engrossment.

By Mr. Tompkins:

H. 842. A Bill to be Entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the

State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State and to this end and for this purpose, the State is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools; One Mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall

have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable State bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such schools and said institutions named herein, one mill of the two and one-half mills ad valorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall

be construed as in any wise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Was read a third time at length and passed.

Yeas, 81; Nays, 16.

Yeas:

Messrs:

Adcock	Frey	Lovelace	Quillin
Allen	Golson	Luck	Reeder
Anderson	Goode	McAdory	Ringer
Ashcraft	Goodwyn	Martin	Rivers
Bartlett	Graves	Matthews	Rogers (Mobile)
Beebe	Grove	Merrill	Sanders (Conecuh)
Burleson	Guy	Miller (Marengo)	Shivers
Bryant	Harwood	Miller (Sumter)	Smith
Burleson	Hawkins	Molette	Starnes
Burns	Hollis	Monk	Stephens
Byars	Howard	Mullen	Stewart (Calhoun)
Cannon	Hubbard	Nipper	Thompson
Carter	Hughes	Norman	Tompkins
Christian	Jeter	Owens	Tunstall
Cockrell	Jones (Bullock)	Parish	Waddell
Cook	Jones (Cleburne)	Patterson	Ward (Geneva)
Darden	Jordan (Etowah)	Pegues	Ward (Tuscaloosa)
Deloney	Jordan (Washington)	Pitts	Ware
Denson	Kirkpatrick	Poole	Webb
Edmundson	Lee	Powell	Weldon
Fite			

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Nays:

Messrs.:

Mr. Speaker	Hampton	Moxley	Simpson
Baldwin	Hightower	Rankin	Stewart (Bibb)
Edwards	Johnson	Sanders (Pike)	Vickers
Green	Lawler	Sanderson	Winn

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Which was a three-fifths majority of the whole number elected to the House.

On motion of Mr. Simpson the consideration of the bill:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 7003, 7006, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7097, 7098, 7100, 7103, 7104, 7105, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7210, 7214, 7215, 7216, 7218, and 7219 of the Code of 1923.

Was postponed until the next Legislative Day and said bill to be considered as the Unfinished Business and not to lose its place on the Calendar.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 887. To make an additional appropriation for the maintenance of the State Child Welfare Department.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 10:45 A. M., on Aug. 12, 1927,

H. 741.

H. 357.

H. 554.

H. 55.

H. 243.

J. H. Stewart,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 647. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to au-

thorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100.0) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an act of the Legislature approved September 26, 1919, entitled, "An act to provide a complete educational system for the the State of Alabama, etc.," or any amendments thereto, or any subsequent acts of the Legislature relating to special school tax elections.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

The Senate has concurred in and adopted the resolution:

H. J. R. 233. Relative to extending the thanks of the two houses to Senator Marvin Moore and Representative W. O. Shivers for the barbecue given the members of the two houses.

And returns same herewith to the House.

J. E. Speight,
Secretary.

ADJOURNMENT

On motion of Mr. Goodwyn the House, in accordance with a Joint Resolution heretofore adopted, adjourned until Tuesday, August 16th, 1927, at ten o'clock A. M.

FORTY-FOURTH DAY

House of Representatives.
Montgomery, Alabama.
Tuesday, August 16, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Harrison of Montgomery.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Goode	Luck	Rogers (Mobile)
Adcock	Goodwyn	McAdory	St. John
Allen	Graves	Martin	Sanders (Conecuh)
Anderson	Green	Matthews	Sanders (Pike)
Ashcraft	Grove	Merrill	Sanderson
Baldwin	Guy	Miller (Marengo)	Shepherd
Bartlett	Hampton	Miller (Sumter)	Shivers
Beebe	Harwood	Molette	Simpson
Brunson	Hawkins	Morrow	Smith
Bryant	Hightower	Moxley	Starnes
Burleson	Hollis	Mullen	Stephens
Burns	Howard	Nipper	Stewart (Bibb)
Byars	Howell	Norman	Stewart (Calhoun)
Cannon	Hubbard	Owens	Thompson
Carter	Hughes	Parish	Tompkins
Christian	Jeter	Patterson	Tunstall
Cockrell	Johnson	Pegues	Vickers
Cook	Jones (Bullock)	Pitts	Waddell
Darden	Jones (Cleburne)	Poole	Wallace
Deloney	Jordan (Etowah)	Powell	Ward (Geneva)
Denson	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace		

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 43rd legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 43rd legislative day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Desear, Gullatt and Rogers of Elmore for today.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 282. To amend Article 5, Chapter 144, Sections 4158, 4159 and 4160 of the Code of 1923.

Also:

H. 606. To amend an act entitled an act to amend an act, to establish a County Court for Morgan County; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County. Approved September 19, 1923.

Also:

H. 760. To amend Section 2 and 4 of an Act entitled "An Act to provide for the election of a county solicitor for Monroe County, to define his duties and fix his compensation", approved September 25th, 1919.

Also:

H. 847. To establish an Inferior court in precinct 1, Russell County, Alabama, in lieu of all justice of the peace courts in said precinct, and to define the jurisdiction and powers of said court and the judge thereof, to provide for the execution of processes of said court and the operation thereof, to provide for the appointment, election, term of office, qualification and compensation of the judge thereof, and to abolish the offices of all justices of the peace in said precinct.

Also:

H. 817. To alter or rearrange the boundary lines of the City of Tusculumbia, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory.

Also:

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing

the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Also:

H. 779. To authorize the court of county commissioners, board of revenue or other governing body of Elmore County, Alabama, to fix the salary of the chief deputy sheriff of said county.

Also:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along such roads; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this Act, except such laws pertaining to revenue.

Also:

H. 577. To repeal an Act entitled "An Act to make it lawful for any person or persons to use fish traps with fingers or slats not less than one and one-half inch apart for the purpose of taking or catching fish in that part of Coosa River that lies within St. Clair County, Alabama and to further regulate the operation of such traps, approved September 24, 1923.

Also:

H. 634. For the relief of the Decatur Cornice & Roofing Company, Inc., a corporation, and to authorize, empower and re-

quire the City Council of the City of Decatur, Alabama, to pay to the said Company the sum of One Hundred Ninety and No/100 Dollars, (\$190.00) for the purpose of refunding to the said company the said sum, which it erroneously over-paid to the City of Albany, Alabama on the taxes on its personal property for the year 1919, and to reimburse the said Company in the said sum so over-paid.

Also:

H. 355. To fix and determine the boundary line of that portion of the City of Gadsden, Alabama, that lies east of the Coosa River and to incorporate within the corporate limits of the city of Gadsden the territory bounded by said line and the east bank of the Coosa River.

Also:

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

Also:

H. 828. To amend an act entitled an act, "To further prescribe the duties of county treasurers in counties of more than two hundred thousand population according to the last or any subsequent preceding Federal census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds," approved October 31st, 1921.

Also:

H. 647. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred

dollars (\$100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities", and under the provisions of Article 12 of an Act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc," or any amendments thereto, or any subsequent acts of the Legislature relating to special school tax elections.

Also:

H. 887. To make an additional appropriation for the maintenance of the State Child Welfare Department.

Also:

H. 341. To amend the incorporation laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; and to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

And finds same correctly enrolled.

Robert B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills, begs leave to report that said Committee, in session, has compared the folow-

ing engrossed bill with the original bill and find same correctly engrossed, to-wit:

H. 842. To propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other Educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the Second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January, 1928. The proposed amendment is as follows:

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State and to this end and for this purpose, the State is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of

such public schools; One Mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal School, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable State bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such schools and said institutions named

herein, one mill of the two and one-half mills advalorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Bills and ordered same sent forthwith to the House without Engrossment:
By Mr. Walton:

S. 327. Requiring corporations, companies, associations, partnerships and individuals engaged in manufacturing, and employing public labor and every public service corporation doing business in this State to pay employees every two weeks, or twice each calendar month, and to provide a penalty for a violation thereof.

By Mr. Young:

S. 495. To authorize and require the State Highway Commission to construct and maintain all portions of State Highways, including necessary bridges and culverts located within the corporate limits of all cities and towns of this State of less than 10,000 population according to the next preceding Federal census; to provide that all fines for the violation of traffic laws on such portions of said highways shall be paid to the State Treas-

urer of Alabama for the benefit of the State Highway Fund; and to repeal all laws in conflict herewith.

By Mr. Walton:

S. 450. To repeal Section 2999, Code of Alabama, 1923.

By Mr. Walton:

S. 449. To abolish the board of managers of the State Training School for Girls; to create a board of trustees in lieu thereof; to provide for their appointment and fix their terms of office.

By Mr. Craft (with Notice and Proof):

S. 528. To amend Sections 4 and 9 of an act entitled "An Act to amend Sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13), and fourteen (14) of an act entitled an act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1927.

With Notice and Proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the bill hereinbelow set forth will be presented for passage and enactment to the Legislature of Alabama at the regular session thereof which commenced the second Tuesday in January, 1927:

A BILL ENTITLED AN ACT

To amend sections 4 and 9 of an act entitled "An act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an act entitled an act to establish an inferior criminal court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

Section 1. Be it enacted by the Legislature of Alabama that section four (4) of an act entitled "An act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an act entitled an act to establish an inferior criminal court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907, be and the same is hereby amended so as to read as follows: Section 4. Be it enacted by the Legislature of Alabama, that section six (6), of an act entitled an act to establish an inferior criminal court in the County of Mobile, approved February 23rd, 1899, be and the same is hereby amended so as to read as follows: Section 6. Be it further enacted, That said judge of said inferior criminal court shall appoint some competent person to act as clerk of his said court. The duty of said clerk shall be to keep a record of all the proceedings of said court; he shall keep in a book to be furnished by the board of revenue and road commissioners of Mobile County a properly arranged docket of all cases tried in said court and all examinations had therein, which docket shall set forth the nature of the case, the date of the issue and the return of all processes, and a statement of the judgment rendered in the case sufficient to clearly show what was done in the case, together with an itemized copy of the bill of costs, and by whom paid. The said clerk shall have the authority to issue warrants sworn out in said court, and to take and certify the affidavit of the prosecutor. He shall attend upon the duties of said court at such hours as are designated by the judge thereof, and shall perform such other clerical duties as may be prescribed by the judge of said court. Said clerk, before entering upon the performance of the duties of his office shall furnish to

the probate judge of Mobile County a bond with sufficient sureties, in the sum of two thousand dollars, to be conditioned and approved in the same manner as is the bond of the clerk of the circuit court of Mobile, and said bond can be given in any solvent guarantee and indemnity company. The term of office of said clerk shall be for the period of one year, unless sooner removed by the judge of said court, which can be done by an order of removal of discharge entered upon the records of said court. For all the services rendered in the said court the said clerk shall receive an annual salary of twenty-four hundred dollars, payable monthly from the county treasury of Mobile County, and he shall receive no fees whatever. It shall be the duty of said clerk to assess and collect in each criminal case all the costs, fines and fees provided for under the laws of Alabama for justices of the peace, and such monies so collected shall by him be paid into the treasury of Mobile County. The said clerk shall have the authority to swear witnesses at the trial of all criminal cases in said court and to administer oaths and take affidavits in all cases in which the authority to administer such oaths or take such affidavits is not confined to some other officer. The said clerk shall have the authority to appoint deputies, with full power to transact all business of such clerk, such deputy first taking an oath to support the constitution and laws of the state, and faithfully to discharge the duties of deputy clerk of the said inferior criminal court.

Section 2. Be it further enacted by the Legislature of Alabama that section nine (9) of an act entitled "An act to amend sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13), and fourteen (14) of an act entitled "An Act to establish an inferior criminal court in the County of Mobile, approved February 23rd, 1899—approved February 21st, 1907," be and the same is hereby amended so as to read as follows: Section 9. Be it enacted by the Legislature of Alabama that section thirteen (13) of an act to establish an inferior criminal court in the County of Mobile, approved February 23, 1889, be and the same is hereby amended so as to read as follows: Section 13. Be it further enacted that the compensation of said judge of said inferior criminal court shall be forty-five hundred dollars per annum, payable monthly out of the county treasury.

Section 3. That all laws, or parts of laws, in conflict, and contrary to the provisions of this act, are hereby repealed.

The State of Alabama, }
County of Mobile. }

Before me, J. G. Bennett, a Notary Public in and for said county in said State this day personally came J. C. Ballentyne, who being by me duly sworn, deposes and says that he is the Auditor of the Mobile News Item, a daily newspaper published and distributed in said county of Mobile, Alabama, and that notice of the Intention to apply to the Legislature of Alabama, at the regular session thereof beginning on the second Tuesday of January, 1927, for the passage of a certain local bill of which a copy is hereto attached, was published without costs to the State, in said County of Mobile, stating the substance of said proposed law. once a week for four consecutive weeks, in said Mobile News Item, on July 11, 18, 25 and Aougust 1, 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me by J. C. Ballentyne on this the 1st day of August, 1927.

(SEAL)

J. G. Bennett,
Notary Public, Mobile County, Ala.

By Mr. Edgar:

S. 456. To enable cattle raisers in counties in Alabama now under quarantine on account of cattle ticks, to sell their cattle for immediate slaughter by September 1, 1928; to authorize courts of county commissioners or Board of Revenue of said counties to provide necessary dipping vats; to prescribe the duties of the Probate Judge, the State Board of Agriculture, the State Veterinarian and State Livestock Inspectors and to provide penalties for violation of this Act or the Regulations of the State Board of Agriculture.

By Mr. Craft:

S. 524. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the board of revenue and road commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order or judgment of said courts; making it an offense for any person knowingly and willfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said juvenile courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution, for the transportation of such children and the payment of cost by said counties; providing for the commitment of juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the board of revenue and road commissioners, or by whatever name they shall be known of said counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said courts, and for the protection of said children against disqualification or prejudice in other courts in the civil service of the State or municipality on

account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

By Mr. Stokes:

S. 193. To provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal Sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266 Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act.

By Mr. Loflin:

S. 516. To amend Section 766 of the Code of 1923.

By Mr. Ellis of Shelby:

S. 545. To authorize the condemnation of a right-of-way over lands of other persons to cemeteries or graveyards, which have been used by the public as a place for burying the dead for twenty years or more when no part of said cemetery or graveyard is adjacent or contiguous to any public road or highway.

By Mr. Fite:

S. 418. Relating to dependent, neglected or delinquent children in all counties of Alabama which have a population of as many as Two Hundred Thousand people according to the last Federal Census, or which shall have such population according to any such census that may be taken hereafter, and which counties now have, or which counties shall hereafter have a Juvenile and Domestic Relations Court; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the Juvenile and Domestic Relations Courts of such counties; to provide for their protection, guardianship, custody, care, supervision, discipline, and generally for their welfare; to confer upon such Juvenile and Domestic Relations Courts in such counties original and exclusive jurisdiction and authority to adjudicate and enforce all questions and matters arising under or provided for by the terms of this Act, and to confer upon such courts full power and authority to try and determine all such questions; or which may be otherwise referred to them by law, for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction, or to carry out the purpose and intent of this Act; to confer upon such courts authority to make rules and regulations, and to devise and have printed, such records and forms, where not otherwise provided for under the terms of this Act, as shall be found necessary or convenient to the exercise of its jurisdiction,

or which shall be necessary or convenient for the conduct of the Detention Home or Parental School, or for the conduct of probation officers or their work as provided for in this Act; to create and provide for Advisory Boards to such courts, and to define their duties; to make it a misdemeanor by act, or omission, or otherwise to aid, abet, cause, connive at, or contribute to the dependency, neglect, or delinquency of such children, in such counties, or to conceal or otherwise interfere with the custody of such children, or to interfere with or obstruct probation officers in the discharge of their duties, and in certain contingencies for injunctions in such cases, and to provide for the trial and punishment of such offenders; to provide for investigations by probation officers, and the effect of their reports as evidence; to provide for the taking and enforcement of recognizances when same are made by a minor with adults as sureties; to provide that all proceedings under the terms of this Act in dealing with the children described herein shall be in equity, and civil in their nature, and to regulate same; to provide for the trial of any delinquent child as defined by this Act, in a criminal court of competent jurisdiction when the court after investigation or trial is convinced that such child cannot be made to lead a correct life under the discipline provided for such delinquent under the terms of this Act; to provide that under certain contingencies male children between Sixteen and eighteen years of age shall be dealt with as delinquents; to provide for the establishment and maintenance of a Detention Home or Parental School, and for the appointment and compensation of probation officers, and for other expenses incident to the purposes of this Act; to provide for the appointment of referees, and to define their powers and duties; to declare when this Act shall take effect, that should any part of this Act be found to be unconstitutional that it shall not affect the remainder thereof, and to provide for the repeal of all laws inconsistent, or in conflict with this Act.

By Mr. Walker:

S. 521. To amend Section 2011 of the Code of Alabama, of 1923.

By Mr. Ellis of Dallas:

S. 544. To amend Section 14 of an Act entitled an Act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding

judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees; approved August 28, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present legislature during its regular session of 1927 to amend section 14 of the Act of the legislature of 1923, approved August 8, 1923 being law No. 182, and appearing on pages 88, 89, 90, 91, 92 and 93 of Local Acts of 1923 of the Legislature, being the act to establish an inferior court in precinct 36 in Dallas County, Alabama in lieu of all justices of the peace, notaries public with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of judge thereof, to provide for execution of process of said court and the operation thereof, to regulate the procedure in said court, and appeals therefrom, to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election, to provide a fund out of which the salary of said judge and the expenses of said court shall be paid, to provide for the appointment of an acting judge in event the regular judge is unable to serve, to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct, to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established, to provide that the judge of said court may practice law, to provide for the payment of sheriffs fees, etc.; the proposed amendment will in substance and effect provide that the deputy solicitor of said county shall perform the same duties in relation to said court and now devolve upon him by law in relation to the circuit court of said county; and that as compensation for such services in said court he shall receive as compensation therefor a salary of fifty dollars per month payable out of the fines, costs and forfeitures inuring to and collected by said court; payment to be made monthly on warrants of the probate judge of said county.

THE STATE OF ALABAMA, County of Dallas.

Before me, the undersigned notary public in and for said county in said state, personally appeared M. H. Raiford, who being by me first duly sworn, deposes and says: that deponent is the business manager of the Selma Times-Journal, a newspaper published in said county; that the attached notice was duly published in said newspaper once a week for four consecutive weeks, the date of such publications were July 17, July 24,

July 31, and August 7, all during year 1927; without cost to said county or state.

M. H. Raiford,
Business Manager.

Sworn and subscribed to before me this 8th day of August, 1927.

I. F. Reese, Jr.,
Notary Public, Dallas County, Alabama.

By Mr. Stokes:

S. 410. To provide a code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvements, and to repeal all laws in conflict with the same.

By Mr. Fite:

S. 421. To fix the compensation or salary of sheriffs of the State of Alabama in counties having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the method, basis and payment of such compensation.

By Mr. Fite (with notice and proof):

S. 500. To create the twenty-fourth Judicial Circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of Judges, Solicitor, Clerk, and the appointment of a register in chancery, and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer Division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama, and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama, and to otherwise provide therefor.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama application will be made to have the following bill passed:

A Bill to be entitled an Act to create the Twenty-Second Judicial Circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of judges, solicitor, clerk and appointment of a register in chancery, and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith and transfer thereto, of all cases and matters pending in the Bessemer Division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer Division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama, and the consolidation

of such detachment with the said Twenty-Second Judicial Circuit of Alabama, and to otherwise provide therefor.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established the Twenty-Second Judicial Circuit of the State of Alabama out of that part of Jefferson County, Alabama, described as follows:

Begin at the point where the Range line dividing Ranges Two and Three going south first intersects the Cahaba River, in Township 19, on the County Line Between the Counties of Jefferson and Shelby, and run thence North along said Range Line to the Northeast Corner of Section 13, Township 19, Range 3 West; thence West along the section line one mile to the Northwest corner of said Section 13; thence north one mile to the Northeast corner of Section 11, Township 19, Range 3, West; thence West three miles to the Southeast corner of Section 5, Township 19, Range 3, West; thence North three miles to the Northeast corner of Section 29, Township 18, Range 3, West; thence West two miles to the Southeast corner of Section 24, Township 18, Range 4, West; thence north two miles to the Southeast corner of Section 12, Township 18, Range 4, West; thence West one-fourth of a mile to the East boundary line of the City of Fairfield, as it now exists; thence in the general direction of North along the East boundary line of the said City of Fairfield, and turning with and continuing along said boundary line of said City around the north end of said City, and in a general Southwest direction continuing along said boundary line to the point where said boundary line intersects the line that bounds Sections 11 and 12, in Township 18, Range 4, West on the north; thence West to the Northwest corner of said Section 11, Township 18, Range 4, West; thence north three miles to the Northeast corner of Section 27, Township 17, Range 4, West; thence west two miles to the southeast corner of Section 20, Township 17, Range 4, West; thence north two miles to the northeast corner of section 17, Township 17, Range 4, West; thence due west to the intersection of the County Line between the counties of Walker and Jefferson; thence with and along said County Line and turning with and continuing along the same toward and to its intersection with the County Line of Tuscaloosa County; thence with the variations of and along the county line of Tuscaloosa County in a general Southeasterly direction to the point where said County Line intersects the County Line of Bibb County; thence in a general Easterly and Northeasterly direction with and along said Bibb County Line as it divides said County of Bibb from the County of Jefferson to the point where said County Line intersects the County Line of Shelby County; thence in a general Northeasterly direction with and along said Shelby County line as it divides the said counties of Shelby and Jefferson to the point of beginning. The said territory hereinabove described is hereby taken out of and detached from the Tenth Judicial Circuit of Alabama.

Section 2. That all cases and court business pending in the said Bessemer Division of the Tenth Judicial Circuit of Alabama, as well as that arose in the territory described in Section 1 hereof, when this law takes effect, are hereby transferred to and consolidated into the said Twenty Second Judicial Circuit of Alabama, created by this Act, and shall become and be a part of the business of the Circuit Court of Said Twenty-Second Judicial Circuit of Alabama, and shall be tried, transacted and disposed of in said court as if originally filed therein.

Section 3. That at the General Election held in November, 1928, there shall be elected by the qualified electors residing within the Judicial Circuit hereby created, two judges of said circuit, who, at the time of their election, and during their continuance in office, shall be residents of the Judicial Circuit hereby created; and that nothing herein contained shall be construed to affect the present terms of the office of the Judge, Solicitor

or Clerk, of the Bessemer Division of the Tenth Judicial Circuit of Alabama, except that when this Act goes into effect, and said Circuit becomes established, the Solicitor of the Bessemer Division of the Tenth Judicial Circuit shall be and continue as the Solicitor of the Circuit hereby established until the expiration of his present term of office, at the same salary he receives as Solicitor of said Bessemer Division of the Tenth Judicial Circuit of Alabama, and in lieu of such salary; and that the salaries of the Judges, Solicitor and Clerk, of the Twenty-Second Judicial Circuit of Alabama, shall be the same as now or hereafter provided by law for said officers of the Bessemer Division of the Tenth Judicial Circuit of Alabama, and shall be paid in the same manner as they are now paid; that on the expiration of the present respective terms of office of the Judge, Solicitor and Clerk of said court, the Judges, Solicitor and Clerk of said Twenty-Second Judicial Circuit of Alabama, shall be elected as and for like periods of time as the judges, solicitors and clerks of the other circuit courts of this State are elected.

Section 4. That said Circuit shall be divided into two divisions to be known as the First Division and the Second Division, and each of said divisions shall be presided over by one of the judges of said circuit, or such other judge as the law provides. The judge receiving the highest number of votes in the general election shall be known as the Presiding Judge of said Court, and shall preside over the First Division of said Court, and the other judge shall be known as the Associate Judge of said Court, and shall preside over the Second Division of said Court. If said judges shall receive the same number of votes in the general election then it shall be determined by agreement or lot between them as to which shall be Presiding Judge and which shall be Associate Judge, and the result thereof shall be entered upon the minutes of said court. The proceedings of each of said divisions of said court shall go into and form a part of one set of records; provided, however, that each of said divisions shall be provided with a trial docket and motion docket suitable to the character of cases being tried therein.

Section 5. That the said court hereby established shall have and exercise within its territorial jurisdiction like jurisdiction, authority and powers in all respect that the other circuit courts of this state have and and exercise now, or that may hereafter be conferred upon them; and all jurisdiction of the Tenth Judicial Circuit of Alabama in or over the said territory comprising the said Twenty-Second Judicial Circuit of Alabama is hereby specifically excluded, except that all causes and court business lawfully pending in court at the time this bill goes into effect in that Division of said 10th Judicial Circuit held at the county site shall continue in said Tenth Judicial Circuit at the county site to conclusion.

Section 6. That the Circuit Court for the said Twenty-Second Judicial Circuit of Alabama shall be held at Bessemer, and the said court shall be open all the year for the transaction of business every day except Sunday, and except on such legal holidays as the court may designate from time to time; provided that from the first day of July until the first day of September of each year no civil cases at law shall be tried in said court without the consent of the parties; and provided further, that the judges of said court may order a recess during all and any part of the week beginning on December 24th of each year, not extending beyond six court days; and provided further, that no civil cases shall be set for hearing in said court except by consent of the parties during the week next preceding each call of the division of the Supreme Court, including the Twenty-Second Judicial Circuit, and during the first week of such call.

Section 7. That the said Twenty-Second Judicial circuit is added to and becomes a part of the Sixth Division of the Supreme Court of Alabama.

Section 8. That there shall be organized and empaneled for said Twenty-Second Judicial Circuit at least two grand juries each year, and as many more grand juries each year as the judges of said court, or either of them, may deem necessary for the public good. The grand juries shall have, exercise and possess all of the jurisdiction and powers that now are, or may hereafter be conferred by law on, the grand juries of the several circuit courts of this state; and the grand jury and petit jury shall be drawn by either Judge from the qualified jurors residing within the territorial jurisdiction of said court in the same manner as the same are now drawn or may hereafter be provided for.

Section 9. That the said circuit court for all practical purposes may be designated and referred to as Bessemer Circuit Court.

Section 10. Each of the Judges of said Circuit Court may appoint not more than two bailiffs to serve the division of said court over which such judge is presiding, and the salaries and terms of office of such bailiffs shall be the same, and the manner of payment the same as now provided for the bailiffs of the Bessemer Division of the Circuit Court of Jefferson County. The Presiding Judge of said court shall appoint a Register in Chancery for said Circuit Court as provided and required by law. Such Register in Chancery shall have the same authority and discharge the same duties as the Registers in Chancery in other circuit courts of this state, and shall receive such compensation as may be fixed by the presiding judge not to exceed the amount provided by law for the Register in Chancery of the circuit court of this county.

Section 11. The Judge of each division of said court is hereby authorized to designate and appoint a competent court reporter for the division of said court over which he presides, to perform the duties of official court reporter of said division of said court, except that such reporters may be used alternately in either division as the work of such division may require and such reporter shall work under and subject to the same rules, regulations, restrictions and laws that the reporter of the Bessemer Division of the Circuit Court of Jefferson County is subject to, and such reporter shall receive the same salary and compensation, and be paid in the same manner as the reporter of the Bessemer Division of the Circuit Court of Jefferson County receives and is paid; provided that in addition to the compensation now being received by such reporter of the Bessemer Division of the Circuit Court of Jefferson County, the reporter transcribing the notes of proceedings before the grand jury of said court shall receive as compensation therefor the same rate per folio as is now provided by law for all transcripts in the Bessemer Division of the Circuit Court of Jefferson County, which payment shall be out of the treasury of said County on warrants issued by the judge appointing such reporter.

Section 12. That the Board of Revenue or other proper authorities of Jefferson County shall make and provide full, proper and adequate quarters and equipment for the holding of each of said divisions of said court at Bessemer in like manner as is provided for in the holding of the Circuit Court at Birmingham.

Section 13. That all appeals from Inferior Courts, or other courts, within the territory comprising the Twenty-Second Judicial Circuit shall be taken to the said circuit court under the same conditions and in the same manner as is provided by law for such appeals to the other circuit courts of this state. All warrants, or writs of arrest, issued by justices of the peace, notaries public exercising the jurisdiction of justices of the peace. Judges of Inferior Courts created in lieu of justices of the peace and all similar offices by whatever name called for the commission of misdemeanors arising or committed in the territory comprising the Twenty-Second Judicial Circuit over which they have not final jurisdiction, shall be made returnable directly to said circuit court for trial, and shall there be tried

without an indictment of a grand jury; and any circuit judge presiding over the Circuit Court of the said Twenty-Second Judicial Circuit is authorized to issue warrants or writs of arrest in all misdemeanor cases when the misdemeanor for which the warrant or writ of arrest is issued has been committed or arises in the territory comprising said circuit, returnable directly to said court for trial, without an indictment of a grand jury.

Section 14. This Act shall take effect on the first Monday after the second Tuesday in January, 1929, but it shall become effective so as to preclude and prevent the nomination or election of a judge, clerk, solicitor, or other officer, of the Bessemer Division of the Circuit Court of Jefferson County in 1928, and in lieu thereof authorizes the nomination and election within and for said Twenty-Second Judicial Circuit the judges and clerk of said Twenty-Second Judicial Circuit in 1928.

Section 15. Nothing herein contained shall be construed to affect or in any manner interfere with the branch offices of the County officers now established and maintained at Bessemer, but such branch offices shall continue in all respects as now maintained and established by law.

Section 16. That all laws, local, general or special, now applicable to the Bessemer Division of the Circuit Court of Jefferson County, which are not in conflict herewith are hereby continued and made applicable to the Circuit Court of the Twenty-Second Judicial Circuit in all respects as they now apply to said Bessemer Division of the Circuit Court of Jefferson County.

Section 17. That if any section, sentence, clause or provision of this Act is held to be unconstitutional or void, such holding shall not in any manner affect any other section, sentence, clause or provision of this Act that is not in itself unconstitutional or void.

Section 18. That all laws and parts of laws, general, local or special, in conflict herewith are hereby expressly repealed.

THE STATE OF ALABAMA, Jefferson County.

Personally appeared before the undersigned authority in and for said County in said State L. W. Jones, who, being duly sworn, deposes and says that he is the Manager of the Bessemer Advertiser, a newspaper of general circulation published in Bessemer in Jefferson County, Alabama, and that he has personal knowledge of the facts herein set forth and that the bill hereto attached has been published in said Bessemer Advertiser, a newspaper of general circulation, for five (5) successive weeks, viz: June 30, July 7, July 14, July 21 and July 28 of 1927.

L. W. Jones.

Sworn to and subscribed before me, this the 29th day of July, 1927.

Fred Ross,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

Judiciary: S. 327; S. 500.

Public Roads and Highways: S. 495.

Revision of Laws: S. 450.

Eleemosynary Institutions: S. 449; S. 545.

Local Legislation: S. 528; S. 524; S. 418; S. 544; S. 421.

Agriculture: S. 456.

..... Municipal Organization: S. 193; S. 521; S. 410.

Capitol and Capitol Grounds: S. 516.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 267. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said town as hereby extended, altered and rearranged.

S. 173. An Act, to authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

S. 179. To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bill:
By Mr. Ellis of Shelby:

S. 389. A Bill to be entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to

provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon such proposed amendments and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI. Section 1. The state may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this state and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings of The University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the state, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools, One Mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise author-

izing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby proposed to be held as here-in provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and The University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of twenty million dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the State, when authorized by appropriate laws passed by the legislature.

To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools and said institutions named herein, one mill of the two and one-half mills ad valorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authoriz-

ing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The above and foregoing bill, S. 389, proposing an amendment to the Constitution was read one time at length and referred to the Standing Committee on Constitution and Constitutional amendments.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered sent forthwith to the House without Engrossment:

By Mr. Holmes:

S. 348. To permit a sugar refinery to make or to manufacture, as a by-product of and in such plant, industrial alcohol or denatured alcohol for nonbeverage purposes only in order to conserve the materials used in or incident to the manufacturing process employed in such refinery by persons, firms or corporations on any State owned land that constitutes in whole or in part any plan of development by the State or its agency for the improvement or expansion of any of the harbors or seaports of the State; authorizing the Governor of the State of Alabama, in his discretion, to issue permits therefor; fixing the conditions and regulations under which such alcohol may be manufactured, transported and sold, and requiring the giving of a bond to the State for the faithful observance of con-

ditions and regulations in the premises; defining the terms used in this Act; and declaring offenses against the Act and prescribing penalties for violations of this Act and providing for the supervision of its enforcement by the Governor of Alabama.

By Mr. James (By request):

S. 453. To make an appropriation for buildings and equipment for the Kate Duncan Smith, D. A. R. School located at Grant, Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Seaport, Harbors and Maritime Commerce: S. 348.

Appropriations: S. 453.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 318. In relation to the Educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Ward of Tuscaloosa the House non-concurred in the Senate amendment to the Bill H. 318. Said Senate amendment being as follows:

Amend H. 318 by striking therefrom Section 31 and number Sect. 32 as Sec. 31.

And on motion of Mr. Ward of Tuscaloosa a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the Bill H. 318.

And the Speaker named as Conferees on the part of the House: Messrs. Ward of Tuscaloosa, Tunstall and Frey.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Goodwyn:

H. R. 245. Relative to making S. 318 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Deloney:

H. R. 246. Relative to making H. 968 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Pegues:

H. R. 247. Relative to making H. 906 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Adcock:

H. R. 248. Relative to making S. 390 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. R. 249. Relative to making H. 1003 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. R. 250. Relative to making certain bill special order.

And the Resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 251. Making the following bills Special Orders: H. 471; H. 963; H. 834; H. 943; H. 991; H. 910; H. 742; H. 1028; H. 654; H. 957; H. 394; H. 405 and H. 805.

And the Rules were suspended and the Resolution was adopted.

By Mr. Kirkpatrick:

H. R. 252. Relative to making S. 375 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Deloney:

H. R. 253. Relative to making H. 64 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Cockrell:

H. 254. Relative to making H. 622 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jeter:

H. R. 255. Relative to making S. 133 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Johnson:

H. R. 256. Relative to making H. 801; H. 396; H. 397 and H. 800 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Beebe:

H. R. 257. Relative to making H. 843 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Darden:

H. R. 258. Relative to making H. 1051 and H. 1050 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Darden:

H. R. 259. Relative to making H. 938 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Moxley:

H. R. 260. Relative to making H. 394; H. 392; H. 405 and H. 597 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 261. Relative to making H. 998 and H. 997 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Anderson:

H. 262. Relative to making H. 1014 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goode:

H. R. 263. Relative to making H. 919 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

REPORT OF RULES COMMITTEE

Mr. Long, Chairman of the Standing Committee on Rules returned to the House, with a favorable report, the following House Resolution with amendment:

By Mr. Pegues:

H. 235. Resolved by the House that on the 45th, 46th and 47th Legislative Days only House Bills be considered.

And the resolution was adopted.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Baldwin:

H. 1131. To authorize and provide for the payment of the sum of Five Thousand Dollars (\$5000.00) for the relief of J. F. Clements of Montgomery County, who was injured on the 16th day of October, 1910, while in line of duty with the National Guard of Alabama.

Appropriations.

By Mr. Johnson (With Notice and Proof):

H. 1132. To provide for the holding of an election in Clarke County, Alabama, to determine whether or not the County Superintendent of Education shall be elected by the qualified voters of said County; to fix the term of office of such County Superintendent of Education; to prescribe his salary and the manner of payment; to provide for his giving bond; to define his qualifications; powers and duties and to provide for appointment or election of his successor in office; and to provide for filling any vacancies occurring in said office prior to July 1, 1929.

Local Legislation.

Notice and Proof H. 1132.

NOTICE

Notice is hereby given that a bill will be introduced at the next regular session of the Legislature of Alabama to provide for the election of a County Superintendent of Education by the qualified electors of Clarke County, to fix his term of office to prescribe his salary and manner of payment, to define his qualifications, powers and duties, to provide for filling vacancies in said office by appointment by the Governor, to require his giving bond in the sum of \$10,000.00 with a surety company qualified to do business in this State, the premium to be paid by the County.

The object of this bill is to give to the people of Clarke County, the right to elect their Superintendent of Education, to fix his salary at \$2,400.00 per year. Said Superintendent shall be allowed to incur expenses necessary to the performance of his official duties to an amount not exceeding fifty dollars in any one month. Claim for such expenses shall be itemized and sworn to and shall be supported by receipts and vouchers thereto attached, and shall be allowed only on order of payment by the County Board of Education. The salary of said Superintendent to be paid from such school funds of the County as are legally available for such purpose.

J. T. Johnson.

THE STATE OF ALABAMA,

Clarke County.

Before me, John E. Adams, a Notary Public in and for said county and state, appeared G. A. Carleton, known to me to be publisher of the Clarke County Democrat, a newspaper published at Grove Hill, Clarke County, Ala., who being duly sworn, states that the attached notice was published in said newspaper in its issues of June 2, 9, 16, 23, 1927.

(Signed) G. A. Carleton.

Sworn to and subscribed before me, this the 24th day of June, 1927.

(Signed) John E. Adams,
Notary Public, Clarke Co., Ala.

By Mr. Cockrell:

H. 1133. To amend Section 21 1-2 of an Act in reference to and to further provide for the General Revenue of the State of Alabama, approved July 22, 1927.

Ways and Means.

By Mr. Simpson (With Notice and Proof):

H. 1134. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties and compensation; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeal to the Circuit Court.

Local Legislation.

Notice and Proof H. 1134.

Notice is hereby given that the following bill will be introduced in the Legislature of Alabama at its adjourned session of 1927:

AN ACT

To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties and compensation; to provide for and regulate jury trial therein; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeal to the Circuit Court.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby established in and for Jefferson County, except that part of Jefferson County herein particularly described, an inferior court of law which shall be called the Birmingham Court of Common Pleas.

Section 2. This court shall have and exercise concurrently with all other courts having like jurisdiction in said county, for and in all of Jefferson County, except territory hereinafter excluded and defined, all the jurisdiction and power which now are, or which hereafter may be by law conferred upon the circuit courts of this state, in actions at law where the amount involved does not exceed three hundred dollars.

Section 3. The jurisdiction of this court will not extend over that portion of Jefferson County which is included in the following precincts, to-wit: William's Precinct No. 1, Jonesboro Precinct No. 2, Parson's Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meak's Precinct No. 24, Toadvine Precinct No. 27, Bessemer

Precinct No. 33, Givin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55.

Section 4. This court shall have no jurisdiction of criminal offenses and no jurisdiction in equity, and no jurisdiction of suits in ejectment.

Section 5. This court shall have authority (1) To exercise original jurisdiction of all suits and actions at law including libel, slander, assault and battery, when the matter or sum in controversy does not exceed three hundred dollars. (2) To punish contempt by fine not exceeding fifty dollars and by imprisonment not exceeding five days. (3) To prescribe rules and regulations as to pleading and practice as to the time of filing and settling pleadings, and to make any necessary orders, rules and regulations for the dispatch of the business of the court.

Section 6. The judge of this court shall not have authority to grant writs of certiorari supersedeas, quo warranto, mandamus, nor writs of injunctions, or ne exeat.

Section 7. The judge and court have authority to grant writs of attachment and garnishment.

Section 8. There shall be a judge of said court, who shall hold office for a term of four years, and until his successor has been appointed and qualified. The present judge of the Municipal Court of Birmingham, Third Division, or the person holding said office at the time of the abolition of the Municipal Court of Birmingham, Third Division, shall be judge of this court until the expiration of the term of which he was appointed judge of the Third Division of the Municipal Court of Birmingham, to-wit, January 1st, 1931. The judge of this court shall be appointed by the judges of the Circuit Court of Jefferson County, and in the manner as provided for the appointment of judges of the Municipal Court of Birmingham.

Section 9. The judge of the Birmingham Court of Common Pleas shall receive as compensation for his services the sum of Forty-eight hundred Dollars (\$4800.00), payable in equal monthly installments of Four Hundred Dollars (\$400.00) each, out of the County Treasury of Jefferson County, Alabama, upon his warrants drawn upon the County Treasury.

Section 10. The judge of this court shall appoint a clerk of this court, who shall hold office at the pleasure of the judge. The clerk of this court shall receive as compensation for his service the sum of \$2100.00 per annum, payable in equal monthly installments of \$175.00 each, out of the County Treasury of Jefferson County, Alabama, upon his warrant drawn upon the County Treasurer.

Section 11. (a) The judge of this court shall appoint two assistant clerks, who shall hold office at the pleasure of the judge. The assistant clerks shall receive as compensation for their services as such assistant clerks, the sum of \$1800 per annum, payable in equal monthly installments of \$150.00 each, out of the County Treasury of Jefferson County, Alabama, upon his or her warrant drawn upon the County Treasurer.

(b) When the business of the court requires it, the Board of Revenue of Jefferson County shall furnish this court additional clerical help and cause the same to be paid out of the Treasury of Jefferson County.

Section 12. The clerk of this court shall give bond in the penal sum of \$2,500, payable to the State of Alabama, and conditioned to faithfully discharge the duties of such office, which bond shall be approved by, and filed in the office of, the judge of probate of Jefferson County, Alabama, and which bond shall also be conditioned to pay all moneys to the proper officers and persons to whom it is payable and to faithfully account for all moneys coming into his hands, by virtue of his office, and upon the said bond there shall be the same liabilities and remedies as upon a bond of the clerk of the Circuit Court.

Section 13. The judge of the court shall appoint a bailiff of the court, who shall hold office at the pleasure of the judge, and who shall receive as compensation for his service as such bailiff the sum of Sixty Dollars (\$60.00) per month, payable out of the County Treasury of Jefferson County, Alabama, upon his warranty drawn upon the County Treasurer.

Section 14. The constables of precincts 22 and 37, 42, 46 of Jefferson County, Alabama shall be exofficio officers of this court, and shall be required to attend its hearings and may serve any of its processes and writs by themselves or their duly appointed deputies in any part of the territory over which this court shall have jurisdiction and shall receive for such services the same fees as provided by law for like services by the sheriff of Jefferson County. The said constables as to any or all writs or processes of this court shall have all the power and authority conferred by law upon sheriffs of Jefferson County.

Section 15. The sheriff of Jefferson County shall have the duty as to attendance of this court and the execution of its writs and processes as he has to the Circuit Court of said county.

Section 16. The practice, procedure, judgments and record in this court shall conform to and be governed by the laws applicable to practice and procedure in justice of the peace courts, in so far as applicable, and except as otherwise provided in this act, and shall conform and be governed so far as practicable by the practice and procedure in the municipal court of Birmingham.

Section 17. Every intendment is in favor of the sufficiency and validity of proceedings in this court when brought in question, either directly or collaterally, in any of the courts of the state, where it appears on the face of the proceedings that this court had jurisdiction of the subject matter and the parties.

Section 18. The clerk shall issue all processes out of said court returnable to this court, the clerk shall approve all bonds, shall keep a docket of said court and shall certify all transfers of causes and all appeals. The clerk shall have all the authority and perform all the duties prescribed by law for clerks of the Circuit Courts of the state, except where otherwise provided in this Act, and except that entry of the judgment by the judge shall be the minutes of the court.

Section 19. All judgments required to be signed shall be signed by the judge. A judgment and the record thereof shall not be required to be more formal than a judgment rendered in a court of the justice of the peace and shall be governed by the same laws as a judgment in a court of a justice of the peace.

Section 20. The fees and costs that are now or hereafter allowed by law in cases in the Circuit Court of Jefferson County, except the library tax, shall be taxed and collected as provided by law in the Circuit Court and shall by the clerk be paid into the County Treasury.

Section 21. In all cases commenced in this court by summons and complaint, the defendant shall be required to appear and demur or plead to the complaint on a certain day to be fixed by the clerk, but the summons and complaint must be executed seven days before the return day thereof; and in all cases at law commenced by attachment, the defendant shall appear and demur or plead, seven days after the levying of the attachment and the service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within seven days after service is perfected by publication and publication shall be once a week for three consecutive weeks in some newspaper published in Jefferson County, Alabama; and in all other cases at law the defendant must appear and demur or plead at the time designated by the clerk in the summons, not less than seven days after service of summons and complaint upon him; and in all cases, whether commenced by summons and complaint, attach-

ment or otherwise, any defendant failing within the time provided herein to appear and demur or plead shall be held in default, and at any time thereafter judgment by default on motion of plaintiff may be rendered against him provided, however, that the court may for good cause shown, allow such judgment so obtained by default to be set aside and demurrer or plea to be filed on such terms as the court may think just, provided said motion is filed within the time provided for such motion, or continued while the same is within the breast of the court as required by law.

Section 22. (a) In all suits and actions on promissary notes, bills of exchange, or other negotiable instruments, contracts in writing, or accounts, if the plaintiff or his agent shall have filed at the time of bringing his suit or action an affidavit setting out distinctly his cause of action, and the sum he claims to be due and that the same is due, owing and unpaid, a copy of which must be served on the defendant with the Summons and Complaint plaintiff shall be entitled to judgment for the amount so claimed, with interest and costs unless the defendant shall file along with his plea, if in bar, an affidavit of defense denying the rights of the plaintiff as to the whole or some specified part of his claims, and specifically stating also in precise and distinct terms, the grounds of his defense, which must be such as would, if true, be sufficient to defeat the plaintiff's claim in whole or in part.

(b) The provision of this rule shall not apply to defendants' estates, except when the affidavit filed with the complaint sets forth the contract sued on was directly with such representatives or that a promise to pay was made by him.

(c) When the defendant is a corporation the affidavit of defense may be made by an officer, agent or attorney of such corporation.

(d) When the affidavit required to be filed hereinabove does not comply with said provisions, such affidavit may be stricken out and judgment entered on motion.

(e) The court may by rules require such affidavit of defense and pleas to be filed along with the demurrer, if any be filed, which affidavit shall not waive the demurrer.

Section 23. The plaintiff electing to bring suit in this court shall endorse upon his complaint that he waives a trial by jury, and his election to file his suit in this court shall be deemed as a matter of law as his waiver of his right to have such cause tried by jury.

Section 24. In all cases filed in this court the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the defendant within seven days after the summons and complaint is served on him, or by any other person interested in such issue or question, at the time he appears; such demand must be made by such person that intervenes upon the pleading or paper filed by him for the purpose of presenting such issue or question of fact or by the defendant or other party occupying the position of the defendant, including the garnishee, by making a formal written demand upon the demurrer, plea, other pleading, or separate paper filed by him, that he demands a trial by jury; such demands must be in writing, signed by the party or his attorney and filed with the clerk of the court, and must be filed by the defendant within seven days after the summons and complaint is served on him.

Section 25. When the defendant or other party occupying the position of defendant, or other party entitled thereto, shall have demanded a trial by jury, in the manner and within the time provided, this court shall proceed to settle the pleadings and make up at issue, and if an issue of fact be made up (a) The judge may proceed to try said cause with a jury, as herein provided; or, (b) the judge may make an order transferring said cause to the Circuit Court, whereupon the clerk of this court shall transfer all the papers in said cause, together with a transcript of the court's ruling

on the pleadings, to the Circuit Court of Jefferson County. Said cause shall be by the clerk of the Circuit Court, of Jefferson County, docketed, and shall then proceed as if said cause were in said Circuit Court on appeal from a Justice Court whereby the appellant had demanded a trial by jury for such trial in the Circuit Court.

Section 26. Whenever a jury is required to try any issue in this court, the judge of this court shall procure the jury box of Jefferson County and the key thereto and shall draw from the jury box as many names as he may think necessary, in no case less than sixteen and must immediately return the key and box to the proper custodians thereof, respectively and after each name is drawn it shall not be returned to the jury box except as herein otherwise provided, and there shall be no selection of names except as hereinafter provided, and shall make and file a record of the drawing and issue an order to the sheriff requiring him to summon the jurors, and the judge must draw the jurors in the manner provided by Chapter 311 of the Code, except where otherwise in this Act provided; provided, however, that the judge may discard and return to the jury box any name after the same has been drawn from the jury box, where the name so drawn is of a person who does not reside within the jurisdiction of this court.

Section 27. Whenever there are not enough qualified jurors in attendance upon the court to permit the juries required, the judge of the court shall draw from the jury box names of as many jurors as he may deem necessary who are then within or reside within the City of Birmingham. The sheriff shall forthwith summon all jurors thus drawn to attend court when required and he may summon them by personal service or by telephone or by telegraph or may in like manner order a deputy or special deputy to summon them or may by telephone or telegraph direct a deputy to summon such a juror. The court shall then proceed to empanel, or complete the empaneling of the juries.

Section 28. Jurors drawn and empaneled to serve in this court may be required to serve for an entire week.

Section 29. It is the duty of the court, before administering the oath prescribed by law to any juror, to ascertain that such juror has the qualifications required by law.

Section 30. (a) Each party has the right to challenge two of the jury peremptorily. Neither party shall have a right to a struck jury.

(b) The judge shall empanel sixteen jurors for the trial of any case, from which panel each party may peremptorily challenge two jurors.

Section 31. The sole remedy for any error in the drawing, summoning, empaneling or otherwise, of jurors, on the trial before a jury, shall be by an appeal to the Circuit Court, where the cause shall be tried de novo as provided in this Act.

Section 32. That the term of this court shall commence on the first day of January of each year, and end on the 31st day of December of each year. The final judgments rendered by said court shall after the expiration of ten days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgment is rendered had ended at the end of said ten days, provided, however, that nothing herein contained shall prevent the parties from applying for new trials or rehearings within said ten days, or prevent the court within the said ten days from continuing said motion for a rehearing, to some other time.

Section 33. Unless otherwise ordered by the Court, all garnishments issued by said court shall require an answer thereto within seven days after the service thereof; and upon the failure of any garnishee to make answer within such seven days, he shall be deemed in default and a judgment nisi may be rendered against him on motion of the plaintiff, if the plaintiff is otherwise entitled to such judgment nisi; unless otherwise or-

dered by the court, all citations, rules, scire facias, and notices issued by this court shall require the party against whom they are issued to appear and plead within seven days after service thereof, or if the citations or notices are to be given by publication, within seven days after the perfection of such publication.

Section 34. Any party may appeal from any judgment rendered against him by this court, to the Circuit Court or court of like jurisdiction, within ten days after the rendition thereof.

Section 35. No cause can be appealed from this court to the Circuit Court or other court of like jurisdiction unless the party applying for such appeal first executes a bond with sufficient surety, payable to the adverse party, with condition to pay such judgment as may be rendered against him by the court to which the cause is sought to be removed, and no cause can be removed from this court by statutory certiorari.

Section 36. If such appeal is applied for by a defendant, claimant or any other party against whom a judgment for the payment of money has been rendered, such bond shall be in double the amount of the judgment rendered against him, including the costs; in all other cases, in such amount as may be prescribed by the judge of this court.

Section 37. When appeal is taken, the clerk must return promptly all the original papers of the cause, together with a statement signed by him of the case, and the judgment rendered by the court, to the clerk of the court to which the appeal was taken.

Section 38. The clerk must also issue a notice to the appellee that such appeal has been taken, which must be executed by personal service on him, his agent or attorney, five days before the return term of the appeal, and must be returned promptly by the constable, or other officer, to the clerk of the court to which the appeal was taken; but in lieu of notice by personal service to the appellee, or his agent or attorney, the clerk may send said notice by registered mail addressed to the appellee, his agent or attorney, with demand for a return receipt, and such return receipt, signed by the appellee, his agent or attorney, shall be proof of said notice.

Section 39. If the appellee, after the appeal is taken, moves out of the county, or absconds or secretes himself, so that notice cannot be served on him, it shall be the duty of the constable to execute such notice by leaving a copy at the residence, or late residence, of the appellee, and by posting the same in front of the court house door of the county of Jefferson, and return the facts to the clerk of the court to which the appeal was taken on or before the second day of the term.

Section 40. That in all causes removed from this court to the Circuit Court by appeal, the cause shall be tried therein *de novo* and the issues and questions of fact shall be tried by the Circuit Court without the intervention of a jury, except that when the plaintiff appeals from a judgment rendered on a verdict of a jury; defendant or party occupying the position of defendant, may have a trial by jury on the appeal if he demands the same, in writing, within ten days from the time that plaintiff files his appeal bond, or within ten days of his being notified of the appeal.

Section 41. That any party to a cause in this court may deposit with the clerk of this court the necessary postage with the names and addresses of the witnesses, and it shall thereupon be the duty of the clerk of this court to summons said witnesses by addressing a letter to them, at such addresses, duly registered, with demand for return receipt, and such return receipt shall be proof of the service of said summons upon such witness, and any such witness being so served and failing to appear, shall be in contempt of the court and may be attached and punished as provided by law as to parties guilty of contempt and may also be imprisoned.

Section 42. The judgments of this court may be recorded as provided by Sections 4156, 4157, 4158 and 4159 of the Code of Alabama, and said

provisions of the Code and said laws shall be applicable to judgments and proceedings in this court.

Section 43. All witnesses shall receive the mileage and per diem for attendance on this court, as provided by law for witnesses in the Circuit Court.

Section 44. The Board of Revenue of Jefferson County shall provide a place for the holding of this court and shall furnish all the necessary stationery, papers and other things, as provided by law for the Circuit Court of Jefferson County, that may be necessary for the operation and maintenance of this court; the Board of Revenue may, when the business requires it, furnish the court additional clerical help, and cause the same to be paid out of the Treasury of Jefferson County.

Section 45. The Sheriff of Jefferson County shall execute such processes and writs of this court as this court may require of him, and make return thereof.

Section 46. Upon the Judge of the Municipal Court of Birmingham, Third Division, becoming judge of this court, the Third Division of the Municipal Court of Birmingham is abolished, together with the office of judge, clerk, bailiff and other officers, and all of the causes pending in the said Third Division of the Municipal Court of Birmingham, and its dockets, papers and records, shall be transferred to the Second Division of the Municipal Court of Birmingham, where the same shall proceed as if originating therein.

Section 47. Neither party to a civil suit in this court as a matter of right may file interrogatories to be propounded to the opposite party, but for good causes shown, the judge of this court may allow such interrogatories to be propounded, in which case the judge shall fix the time in which they shall be answered, and the said filing and answering of said interrogatories, except as herein provided, shall be governed as far as applicable by Article 10, Chapter 290, of the Code of Alabama as now enacted or hereafter amended.

Section 48. In case of emergency, the judge of this court may appoint a suitable person to act as constable, without bond except as hereinafter provided, and the person appointed must perform the same duties, and is liable to the same pains and penalties, and is entitled to the same fee and compensation, as regular constables; but such special constable is not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collecting of executions, attachments or writs of detinue, he execute a bond in a sum of twice the amount of the property to be levied on, payable to the defendant and conditioned as required by constable bond, with sureties to be approved by the judge appointing such special constable.

Section 49. The law applicable to issuing and levying of executions in the Circuit Court shall apply to this court, and this court shall have the right and authority to cause the levying upon real estate and the sale thereof as is provided in like cases in the Circuit Court.

Section 50. That all laws, or parts of laws, general or special, in conflict with the provisions of this Act, shall be and the same are hereby repealed.

Section 51. If any section or provision of this Act shall be declared void or unconstitutional, it shall not affect or disturb the validity or constitutionality of any other section or provision which is not in and of itself void or unconstitutional.

STATE OF ALABAMA,
County of Jefferson.

Personally appeared before me, Mary Mosley, Notary Public in and for said State and County, J. H. F. Mosley, who, being duly sworn, de-

poseth and says that he is publisher of the Labor Advocate, a newspaper published weekly at Birmingham, Alabama; that the advertisement, clipping attached hereto, was published in said Labor Advocate on the following dates: April 23-30, May 7-14, 1927.

Sworn to and subscribed before me, this 15th day of August, 1927.
(Seal) J. H. F. Mosley,
Mary Mosley,
Notary Public.

By Mr. Frey:

H. 1135. To provide State Relief for the Blind.

Appropriations.

By Mr. McAdory:

H. 1136. To fix the compensation of the Clerk of the Probate Court or Chief Clerk of said Court at the county site in all counties of the state of Alabama having a population of more than 200,000 according to the last or any subsequent Federal census.

Local Legislation.

By Mr. Allen (With Notice and Proof) :

H. 1137. To alter and re-arrange the boundary lines of the Town of Linden, Alabama, so as to include within the Corporate limits of the said Town of Linden, in addition to the territory now embraced within the Corporate limits of said town, the territory described in Section One of this Bill.

Local Legislation.

Notice and Proof H. 1137.

NOTICE

STATE OF ALABAMA,

Marengo County.

Notice is hereby given that a Local Bill will be introduced at the present Session of the Legislature of the State of Alabama, which convened in January, 1927, for the purpose of altering and re-arranging the boundary lines of the town of Linden, Alabama, said Bill being substantially in the following language:

A Bill to be entitled an Act, to alter and re-arrange the boundary lines of the town of Linden, Alabama, so as to include within the Corporate limits of the said Town of Linden, in addition to the territory now embraced within the corporate limits of said Town, the territory described in Section One of this Bill.

Be it Enacted by the Legislature of Alabama:

Section One. That from and after the passage of this Act, the boundary lines of the Town of Linden, Alabama, shall be altered and rearranged so as to include in addition to the territory now embraced within the Corporate limits of said Town of Linden, Alabama, the territory hereinafter described:

The East half of the West half, and the Southwest quarter of the Southwest quarter of Section Four; the East Half of the West Half, and the South half of the Southeast quarter of Section Five, all in Township Fifteen, Range Three East; the East half of the West half, and the North half of the Northeast quarter of Section Thirty-two; the East half of the West half, and the Northwest quarter of the Northwest quarter of Section Thirty-three, all in Township Sixteen Range Three East, Marengo County, Alabama.

Section Two. Be it further enacted that the territory described in Section One of this Act be and the same is hereby included within the corporate limits of the Town of Linden, Alabama, a municipal corporation in Marengo County, Alabama.

Section Three. Be it further enacted that all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

This 27 day of July, 1927.

V. C. Bailey, Mayor.

Before me, Irving Adams, a notary public, personally appeared R. E. Sutton publisher and Editor of the Democrat Reporter, a weekly newspaper published in Linden, Marengo County, Ala. After being duly sworn, deposes and says that a bill to extend the corporate limits of the Town of Linden, Ala., copy of which is hereto attached, has been published in the Democrat Reporter for three consecutive weeks as follows. July 28th, August 4th, and August 11th, 1927.

R. E. Sutton.

Subscribed and sworn to before me this the 11 day of August, 1927.

Irving Adams,

Notary Public.

By Mr. Grove (With Notice and Proof) :

H. 1138. To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public Schools in the County of Mobile, a tax, on all property situate in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now authorized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

Local Legislation.

Notice and Proof H. 1138:

To Whom it May Concern:

Notice is hereby given that at the adjourned session of the legislature of the State of Alabama of 1927 now currently in session in the City of Montgomery, a bill will be introduced which will be substantially as follows:

AN ACT

To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax on all property situated in Mobile County at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now authorized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

Be it Enacted by the Legislature of Alabama:

Section 1. That upon the request of the Board of School Commissioners of Mobile County to the Board of Revenue and Road Commissioners of

Mobile County, the said Board of Revenue and Road Commissioners of Mobile County shall order an election to be held at the time requested by the said Board of School Commissioners of Mobile County to determine whether or not the Board of School Commissioners of Mobile County may levy and collect annually, for the operation and maintenance of public schools in the County of Mobile, a tax on all property situated in Mobile County at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law, which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes, now authorized or which may hereafter be authorized by law.

Section 2. That the Sheriff of Mobile County shall give notice at least thirty (30) days before any election to be held under this Act, by publication in some newspaper in Mobile County, which said publication shall show the rate of such proposed tax.

Section 3. The inspectors and officers of the special county election shall be appointed, and said election shall be held and the results of such election shall be declared in the same manner and by the same officers as the results of the regular election for county officers, under the general election laws of the State, provided that the election may be held at the time for holding any regular election in the county, and if held at such time the inspectors and officers of the general election shall conduct at the same time the election herein provided for and for such services they shall receive no compensation other than that allowed them for the holding of the general election and if the election is held at some other time than that of holding the regular election in the county, then the election officers shall receive the same pay as for holding a general election.

Section 4. When any election is held in Mobile County under the provisions of this Act, the Board of Revenue & Road Commissioners of Mobile County shall provide the necessary number of ballots, polling lists, tally sheets, ballot boxes, booths, instructions for holding the election and all other necessary and proper stationery for holding the said election, and the Sheriff shall see that the same are delivered to the officers of the special election, before the day thereof. The ballots used in said elections shall have printed at the top the rate of said proposed tax and that it is to be used for the operation and maintenance of public schools in the County of Mobile; and directly underneath in plain type shall be printed on different lines the words, "For Proposed Taxation." "Against Proposed Taxation," and a blank must be left directly to the left of each line thereof and the voter favoring the proposed taxation will make a crossmark directly to the left of the line, "for proposed taxation" and the voter not in favor of the "proposed taxation" will make a crossmark directly to the left on the line "against proposed taxation."

Section 5: That if it appears as a result of said election that a majority of those voting in said election have voted for the taxation authorized hereunder, the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, said special tax on all property situated in Mobile County, which tax shall not exceed ten cents on each one hundred dollars worth of taxable property in said county, and shall be in addition to all public school taxes which are now authorized or which may hereafter be authorized by law; and which said tax may be levied by said Board of School Commissioners of Mobile County annually upon all real and personal property in Mobile County, as found by the latest appraisalment roll of the State and County Tax Assessor, and such tax when so levied shall be by said Board certified to the Collector of the State and County tax for Mobile County who shall proceed to collect it in the same manner as may be provided by law for the collection of the State and County taxes for said

Mobile County, and shall pay the same to the Board of School Commissioners of Mobile County.

Section 6. That this Act shall take effect when an amendment to the Constitution of Alabama shall be adopted as provided for in an act of the present session of the legislature of Alabama entitled as follows:

AN ACT

To provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as it provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

STATE OF ALABAMA,

Mobile County,
City of Mobile.

Before me, Annice Zieman, a Notary Public in and for said State and County, this day personally appeared W. M. Fincher, who is known to me and who being by me first duly sworn, deposes and says that he is Secretary and Treasurer of the Mobile News-Item Company, publishers of the Mobile News-Item, a newspaper published in said State and County and City; and that the attached notice of intention to introduce a bill to provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually, for the operation and maintenance of public schools in the County of Mobile an annual tax on all property situated in Mobile County, at a rate of not exceeding one-tenth of one per centum in any one year of the value of the property in said county as assessed, as provided by law, which said tax shall be in addition to all other public school taxes which are now authorized by law, and to provide for a method of levying and collecting the said tax; was published once a week for four consecutive weeks in the said Mobile News-Item, to-wit, in the issues of the said Mobile News-Item of July 23rd, 30th, and August 6th and 13th, all in the year 1927.

W. M. Fincher,
Secretary and Treasurer.

Subscribed and sworn to before me, on this 15th day of August, 1927.

(Seal) Annice Zieman,
Notary Public, Mobile County, Alabama.

By Mr. Grove:

H. 1139. To provide for the retirement of Judges of Circuit Courts or courts of like jurisdiction in circuits in the State of Alabama which are composed of only one county, having more than two judges and less than nine judges, or in circuits which may hereafter be composed of only one county having more

than two judges and less than nine judges who have served in such capacity twenty years consecutively and have reached the age of seventy years; to provide for their compensation and to regulate the manner of their retirement.

Local Legislation.

By Mr. Goodwyn:

H. 1140. To amend Section 17 of an Act entitled An Act to provide and create a commission form of municipal government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or any such census which may hereafter be taken: to regulate the selection and election of Commissioners and their terms of office, to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder: to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government. Approved September 18, 1923.

Local Legislation.

By Mr. Carter:

H. 1141. To authorize the Governor, State Commander of the American Legion and the State Adjutant of the American Legion to select a brass band to accompany the delegates from this State to the National Convention of the American Legion at Paris, France, to be held in September, 1927 and to make an appropriation of \$25,000.00 to defray the expenses of said band; to prescribe method of drawing and paying out said money and require bond for faithful and honest handling of same.

Appropriations.

By Mr. Smith (with notice and proof):

H. 1142. To provide for the establishment and creation of a Waterworks Commission for the City of Phoenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their qualifications: To prescribe their oath of office: To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the clerk and treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission: To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an attorney for said Commission: To provide for the establish-

ment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phenix City: and to repeal all laws in conflict herewith.

Local Legislation.

Notice and Proof H. 1142:

NOTICE

Notice is hereby given of the intention to introduce and apply for the passage thereof of the following Local Legislation, affecting the City of Phenix City, and that a bill in substance as follows will be introduced in the coming session of the Legislature of the State of Alabama:

Be it enacted by the Legislature of Alabama:

Section 1. That there be and is hereby created and established a Waterworks Commission for the City of Phenix City, Alabama.

Section 2. Said Waterworks Commission shall be composed of Five Members, one of whom shall be the Mayor of the City of Phenix City, who shall be President of said Waterworks Commission, the other four members of said Commission shall be elected or appointed by the City Council or other governing body of the City of Phenix City and shall hold office for a term of four years and until their successors are elected or appointed and duly qualified; save and except the first four members of said Waterworks Commission elected or appointed by the City Council or other governing body of the City of Phenix City, Alabama, who shall hold office as follows, one member to be elected or appointed and who shall hold office until the first day of October, 1928; one member to be elected or appointed to hold office until the first day of October, 1929; one member to be elected or appointed to hold office until the first day of October, 1930; one member to be elected or appointed to hold office until the first day of October, 1931; and should there become a vacancy before the expiration of the term of office of any one of the above Commissioners selected or appointed by the City Council for any reason the City Council of the City of Phenix or the governing body of said City shall elect or appoint a member to fill the unexpired term of said office so vacated.

Section 3. Each member of said Waterworks Commission shall be a qualified elector of the City of Phenix City and shall be a resident of the City of Phenix City, and shall not hold any other municipal office of the City of Phenix City, save and except he be the Mayor of said City.

Section 4. Each member of said Commission shall before entering upon the discharge of the duties of his office, take the oath of office as provided by law for other Municipal officers in the State of Alabama.

Section 5. Said Waterworks Commission shall have the authority and power to elect or appoint a Clerk and Treasurer, whose duty it shall be to attend all meetings of said Commission and keep a complete record of its meetings and shall perform such other duties as may be prescribed by said Commission; and he shall be paid such salary as may be prescribed by said Commission.

Section 6. Said Commission shall hold regular monthly meetings at a place and time to be fixed by them and shall keep records of their meetings and may hold such other meetings as a majority of said Commission may deem necessary and proper, provided each member of said Commission shall have notice of the time and place of said meeting, which meetings shall be opened to the public.

Section 7. The Members of said Commission shall not receive any compensation for their services as said Commissioners.

Section 8. Said Commission shall be known as "The Waterworks Commission of the City of Phenix City, Alabama."

Section 9. The Clerk and Treasurer of said Commission shall before entering upon any of the discharge of the duties of his office, enter into bond with a surety company in the sum of \$5,000.00, payable to the City of Phenix City, conditioned upon the faithful discharge of the duties of his office.

Section 10. Said Waterworks Commission shall have the power and authority to construct a Waterworks Plant for the City of Phenix and to this end may contract in the name of said Waterworks Commission, for the construction of a Waterworks Plant and the necessary extension of Waterworks Mains and incidental pertaining thereto, and may build or construct said Waterworks Plant for the City of Phenix City within or without the City limits of the City of Phenix City, as in the discretion of said Waterworks Commission, it may deem best.

Section 11. In addition to the above powers herein conferred upon said Waterworks Commission, said Commission shall have the power and authority to operate, control, regulate, repair, extend and maintain the Waterwork's System of the City of Phenix City and all Waterworks property of the City of Phenix City, and may employ engineers and such other competent employees as said Commission may deem necessary and proper to carry out the powers conferred in this Act, and may prescribe the rates to be charged for Water service.

Section 12. Immediately upon the selection or appointment by the City Council or other governing body of the City of Phenix City of the Commission as herein provided, and after they have duly qualified as said Waterworks Commission, the City of Phenix City shall surrender and turn over to said Waterworks Commission the control and management of the Water works System of the City of Phenix City and the properties both real and personal, and all books, monies and accounts belonging to and being a part of the Waterworks System of the City of Phenix City.

Section 13. All contracts executed by said Commission shall be signed by the President of said Commission and shall be attested by the Clerk and Treasurer of said Commission and shall have affixed thereon the seal of said Commission.

Section 14. Said Commission shall have the right, power and authority to make temporary loans in anticipation of income it shall receive, provided however said loans shall not be made for a period greater than one year.

Section 15. Said Commission shall have a common seal and shall have the following words and figures thereon, to-wit: "The Waterworks Commission of the City of Phenix City, Alabama, 1927."

Section 16. The City Attorney of the City of Phenix City shall act as Attorney for said Waterworks Commission without additional compensation thereof.

Section 17. Said Commission shall have the right to establish an office and employ such clerical employees as it may deem necessary and proper for the purposes under this Act.

Section 18. Said Commission shall have its books and accounts audited once each year and shall give a written report of its financial condition for and during the previous year, to the City Council or other governing body of the City of Phenix City.

Section 19. All laws or parts of laws, local and General, in conflict herewith, be and the same are hereby repealed.

STATE OF ALABAMA,

County of Lee.

Before me Gene W. Fuller, a notary public in and for said county, appeared W. C. Wear, who being duly sworn, says that he is business manager of the Opelika Daily News, a newspaper published in said county and that notice of proposed legislation Phenix City Waterworks Commission, copy attached, appeared in said newspaper on July 19, July 26, August 2 and August 19, 1927.

W. C. Wear,

This 15th of Aug. 1927

Gene W. Fuller,
Notary Public Lee County, Alabama

NOTICE

Notice is hereby given of the intention to introduce and apply for the passage thereof of the following Local Legislation affecting the City of Phenix City, and that a bill in substance as follows will be introduced in the coming session of the Legislature of the State of Alabama:

Be it enacted by the Legislature of Alabama:

Section 1. That there be and is hereby created and established a Waterworks Commission for the City of Phenix City, Alabama.

Section 2. Said Waterworks Commission shall be composed of Five Members, one of whom shall be the Mayor of the City of Phenix City, who shall be President of said Waterworks Commission, the other four members of said Commission shall be elected or appointed by the City Council or other governing body of the City of Phenix City and shall hold office for a term of four years and until their successors are elected or appointed and duly qualified; save and except the first four members of said Waterworks Commission elected or appointed by the City Council or other governing body of the City of Phenix City, Alabama, who shall hold office as follows, one member to be elected or appointed and who shall hold office until the first day of October, 1928; one member to be elected or appointed to hold office until the first day of October, 1929; one member to be elected or appointed to hold office until the first day of October, 1930; one member to be elected or appointed to hold office until the first day of October, 1931; and should there become a vacancy before the expiration of the term of office of any one of the above Commissioners selected or appointed by the City Council for any reason the City Council of the City of Phenix or the governing body of said City shall elect or appoint a member to fill the unexpired term of said office so vacated.

Section 3. Each member of said Waterworks Commission shall be a qualified elector of the City of Phenix City and shall be a resident of the City of Phenix City, and shall not hold any other municipal office of the City of Phenix City, save and except he be the Mayor of said City.

Section 4. Each member of said Commission shall before entering upon the discharge of the duties of his office, take the oath of office as provided by law for other Municipal officers in the State of Alabama.

Section 5. Said Waterworks Commission shall have the authority and power to elect or appoint a Clerk and Treasurer, whose duty it shall be to attend all meetings of said Commission and keep a complete record of its meetings and shall perform such other duties as may be prescribed by said Commission; and he shall be paid such salary as may be prescribed by said Commission.

Section 6. Said Commission shall hold regular monthly meetings at a place and time to be fixed by them and shall keep records of their meetings and may hold such other meetings as a majority of said Commission may deem necessary and proper, provided each member of said Commission shall

have notice of the time and place of said meeting, which meetings shall be opened to the public.

Section 7. The Members of said Commission shall not receive any compensation for their services as said Commissioners.

Section 8. Said Commission shall be known as "The Waterworks Commission of the City of Phenix City, Alabama."

Section 9. The Clerk and Treasurer of said Commission shall before entering upon any of the discharge of the duties of his office, enter into bond with a surety company in the sum of \$5,000.00, payable to the City of Phenix City, conditioned upon the faithful discharge of the duties of his office.

Section 10. Said Waterworks Commission shall have the power and authority to construct a Waterworks Plant for the City of Phenix and to this end may contract in the name of said Waterworks Commission, for the construction of a Waterworks Plant and the necessary extension of Waterworks Mains and incidental pertaining thereto, and may build or construct said Waterworks Plant for the City of Phenix City within or without the City limits of the City of Phenix City, as in the discretion of said Waterworks Commission, it may deem best.

Section 11. In addition to the above powers herein conferred upon said Waterworks Commission, said Commission shall have the power and authority to operate, control, regulate, repair, extend and maintain the Waterwork's System of the City of Phenix City and all Waterworks property of the City of Phenix City, and may employ engineers and such other competent employees as said Commission may deem necessary and proper to carry out the powers conferred in this Act, and may prescribe the rates to be charged for Water service.

Section 12. Immediately upon the selection or appointment by the City Council or other governing body of the City of Phenix City of the Commission as herein provided, and after they have duly qualified as said Waterworks Commission, the City of Phenix City shall surrender and turn over to said Waterworks Commission the control and management of the Waterworks System of the City of Phenix City and the properties both real and personal, and all books, monies and accounts belonging to and being a part of the Waterworks System of the City of Phenix City.

Section 13. All contracts executed by said Commission shall be signed by the President of said Commission and shall be attested by the Clerk and Treasurer of said Commission and shall have affixed thereon the seal of said Commission.

Section 14. Said Commission shall have the right, power and authority to make temporary loans in anticipation of income it shall receive, provided however said loans shall not be made for a period greater than one year.

Section 15. Said Commission shall have a common seal and shall have the following words and figures thereon, to-wit: "The Waterworks Commission of the City of Phenix City, Alabama, 1927."

Section 16. The City Attorney of the City of Phenix City shall act as Attorney for said Waterworks Commission without additional compensation therefor.

Section 17. Said Commission shall have the right to establish an office and employ such clerical employees as it may deem necessary and proper for the purposes under this Act.

Section 18. Said Commission shall have its books and accounts audited once each year and shall give a written report of its financial condition for and during the previous year, to the City Council or other governing body of the City of Phenix City.

Section 19. All laws or parts of laws, local and General, in conflict herewith, be and the same are hereby repealed.

STATE OF ALABAMA,

Russell County.

Before me, Isabel A. Moses, a Notary Public, in and for said State in said County, personally appeared I. I. Moses, publisher of the Phenix-Girard Journal, a weekly newspaper published at Phenix City, Russell County, Alabama, of general circulation in the counties of Lee and Russell, who being by me duly sworn doth depose and say that the attached notice of publication of a bill to establish a Waterworks Commission for the City of Phenix City, Alabama, was published for four successive weeks in the said Phenix-Girard Journal as follows; in the issues of June 3rd, June 10th, June 17th, and June 24th, 1927.

I. I. Moses,
Publisher.

Sworn to and subscribed before me this the 28th day of June 1927.
(Seal)

Isabel A. Moses, N. P.

By Mr. Shepherd (with notice and proof) :

H. 1143. To prescribe the qualifications of the Judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority.

Local Legislation.

Notice and Proof H. 1143:

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance, as follows:

1st. To provide that the Judge of the County Court of Walker county, Alabama shall be a person learned in the law who has been admitted to practice law in this State.

2nd. That from and after the approval of this Act the Probate Judge or the Judge of the Probate Court of Walker County, Alabama, shall not be the judge of the County Court of Walker county, Alabama.

3rd. That upon the approval of this Act a Judge of the County Court of Walker county, Alabama, shall be appointed by the Governor of the State of Alabama who shall hold such office until the first Monday after the second Tuesday in January, 1929.

4th. That at the next General Election held in Alabama and every six years thereafter there shall be elected a Judge of said county court of Walker county, Alabama, whose term of office shall be for a term of six years.

5th. That the Judge of the County Court of Walker county, Alabama, shall be paid a salary of Two hundred dollars a month, to be paid as a preferred claim out of the general fund of said county of Walker.

THE STATE OF ALABAMA,

Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared Irvin A. Dove, publisher of Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached was

published in the said Jasper Advertiser once a week for 4 consecutive weeks namely July 20, and 27, and August 3 and 10th, 1927.

Irvin A. Dove,
Publisher.

Sworn and subscribed to before me, this 13 day of August, 1927.

(Seal) E. W. Long,
Judge of Probate.

By Mr. Shepherd (with notice and proof):

H. 1144. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, respectively, all the jurisdiction, powers, and duties now conferred upon the Probate Court of Walker County, Alabama, or the Judge thereof, respectively, by the several provisions of Chapter 100 of the 1923 Code of Alabama, or by any other law of the State relating to juvenile delinquents, probation officers, wards of the State or dependent children.

Local Legislation.

Notice and Proof H. 1144:

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance, as follows:

1st. That the jurisdiction, powers and duties conferred upon the Probate Court of Walker county, Alabama, or the Judge thereof by the several provisions of chapter one hundred of the Code of Alabama, or by any other law of the State relating to Juvenile Delinquents, Probation Officers, Wards of the State and dependent children be and the same are conferred and imposed on the County Court of Walker county, Alabama, or the Judge thereof, the same as they are now or may hereafter be conferred or imposed upon the several Probate Courts of Alabama or the Judges thereof.

2nd. That the Probate Court of Walker county, Alabama and the Judge thereof is hereby relieved and discharged of the performance of any duty now imposed upon him under the provisions of chapter one hundred of the present code of Alabama and of any other duties now or hereafter imposed on Probate Courts or the judges thereof in so far as they relate to Juvenile Delinquents or Dependent Children as defined in said chapter one hundred of the Code of Alabama.

THE STATE OF ALABAMA,
Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared Irving A. Dove, Publisher of Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached was published in the said Jasper Advertiser once a week for 4 consecutive weeks namely July 20, and 27 and August 3 and 10, 1927.

Irving A. Dove,
Publisher.

Sworn and subscribed to before me, this 13th day of August, 1927.

E. W. Long,
Judge of Probate.

By Mr. Shepherd (with notice and proof) :

H. 1145. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, all the jurisdiction, powers and duties now conferred or imposed, or which may hereafter be conferred or imposed, upon the Probate Court of Walker County, Alabama, or the Judge thereof, by the several provisions of Chapter 157 of the 1923 Code of Alabama, or by any law relating to the duties of the husband toward his wife, or parents toward their children.

Local Legislation.

Notice and Proof H. 1145:

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance, as follows:

1st. That the jurisdiction, powers and duties conferred or imposed upon the Probate Court of Walker County, Alabama, or upon the Judge thereof by the several provisions of Chapter 157 of the present Code of Alabama, or by any law relating to the duties of a husband towards his wife, or by any parent towards his or her child or children are hereby conferred and imposed upon the county court of Walker county, Alabama, or the judge thereof, the same as they have been heretofore conferred or imposed upon the Probate Court of Walker county, Alabama, or the Judge thereof, and hereafter the Probate Court of Walker county, Alabama, and the judge thereof are relieved and discharged of all duties and powers heretofore conferred or imposed upon him in relation to the subjects above mentioned.

THE STATE OF ALABAMA,

Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared Irving A. Dove, Publisher of Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached was published in the said Jasper Advertiser once a week for 4 consecutive weeks namely July 20 and 27 and August 3 and 10th, 1927.

Irving A Dove,
Publisher.

Sworn and subscribed to before me, this 13 day of August, 1927.

E. W. Long,
Judge of Probate.

By Mr. Darden (with notice and proof) :

H. 1146. To make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this Act.

Local Legislation.

Notice and Proof H. 1146:

PUBLIC NOTICE

Notice is hereby given that a local bill for Coosa, Elmore and Tallapoosa Counties will be introduced at the present session of the Alabama Legislature, substance of which will be as follows:

A Bill to be entitled an Act to make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this act.

Be it enacted by the legislature of Alabama:

Section 1. That after the passage and approval of this act it shall be unlawful for any person, firm, or corporation to fish on Sunday in any manner or mode in any of the waters of Coosa, Elmore and Tallapoosa Counties.

Section 2. That any person, firm or corporation violating the provisions of Section 1 of this act shall the guilty of a misdemeanor, and on conviction therefor must be fined not less than ten and not more than one hundred dollars, and in addition thereto may be sentenced to imprisonment in the county jail or sentenced to hard labor for the county for not more than three months.

Section 3. This act shall go into effect on its passage and approval by the Governor.

Section 4. That all laws and parts of laws, local or general, in conflict with the provisions of this Act are hereby repealed.

Respectfully submitted,

John A. Darden,

Representative, Coosa County.

STATE OF ALABAMA,

Coosa County.

Personally appeared before me, the undersigned authority in and for said County in said State, Wallace P. Pruitt, who first being duly sworn doth depose and say on oath:

That he is the Editor and Owner of The Rockford Chronicle, a weekly newspaper printed and published in Rockford, Coosa County, Alabama; that a copy of the attached notice of a local bill to prohibit fishing on Sunday was published in four consecutive issues of said newspaper on the following dates, to-wit: July 21 and 28 and August 4 and 11, 1927.

Wallace P. Pruitt,

Subscribed and sworn to before me this the 11th day of August, 1927.

J. O. Steele,

Register.

PUBLIC NOTICE

Notice is hereby given that a local bill for Coosa, Elmore and Tallapoosa Counties will be introduced at the present session of the Alabama Legislature, substance of which will be as follows:

A Bill to be entitled an Act to make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this act.

Be it enacted by the legislature of Alabama:

Section 1. That after the passage and approval of this act it shall be unlawful for any person, firm, or corporation to fish on Sunday in any manner or mode in any of the waters of Coosa, Elmore and Tallapoosa Counties.

Section 2. That any person, firm or corporation violating the provisions of Section 1 of this act shall the guilty of a misdemeanor, and on conviction therefor must be fined not less than ten and not more than one hundred dollars, and in addition thereto may be sentenced to imprisonment in the county jail or sentenced to hard labor for the county for not more than three months.

Section 3. This act shall go into effect on its passage and approval by the Governor.

Section 4. That all laws and parts of laws, local or general, in conflict with the provisions of this Act are hereby repealed.

Respectfully submitted,
John A. Darden,
Representative, Coosa County.

STATE OF ALABAMA,
Elmore County.

I, Frances Golson, editor of The Weekly Herald, a newspaper published in the aforesaid state and county, do hereby certify that the hereunto attached notice was published in the said weekly Herald for four consecutive weeks, viz: July 21st and 28th, and August 4th and 11th, 1927. Witness my hand this the 11th day of August, 1927.

Frances Golson,
Sworn to and subscribed before me this the 11st day of August, 1927.

(Seal) G. H. Howard,
Judge of Probate.

PUBLIC NOTICE

Notice is hereby given that a local bill for Coosa, Elmore and Tallapoosa Counties will be introduced at the present session of the Alabama Legislature, substance of which will be as follows:

A Bill to be entitled an Act to make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this act.

Be it enacted by the legislature of Alabama:

Section 1. That after the passage and approval of this act it shall be unlawful for any person, firm, or corporation to fish on Sunday in any manner or mode in any of the waters of Coosa, Elmore and Tallapoosa Counties.

Section 2. That any person, firm or corporation violating the provisions of Section 1 of this act shall be guilty of a misdemeanor, and on conviction therefor must be fined not less than ten and not more than one hundred dollars, and in addition thereto may be sentenced to imprisonment in the county jail or sentenced to hard labor for the county for not more than three months.

Section 3. This act shall go into effect on its passage and approval by the Governor.

Section 4. That all laws and parts of laws, local or general, in conflict with the provisions of this Act are hereby repealed.

Respectfully submitted,
John A. Darden,
Representative, Coosa County.

STATE OF ALABAMA,
Tallapoosa County.

Before me, J. Percy Oliver, Judge of Probate in and for said County and State, personally appeared T. S. Bugg, Publisher of the Dadeville Spot Cash, a newspaper published once a week in the town of Dadeville, Tallapoosa County, Alabama, and who is personally known to me, who, being duly sworn, deposes and says on oath that the bill entitled "A Bill to be Entitled 'An Act to make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this act'", and of which the attached clipping is a true and correct copy, appeared once

a week for four consecutive weeks in Dadeville Spot Cash on to-wit: July 14th, 1927, July 21st, 1927, July 28th, 1927, and August 4th, 1927.

T. S. Bugg.

Sworn to and subscribed before me on this the 10th day of August, A. D., 1927.

J. Percy Oliver,
Judge of Probate.

By Mr. Grove:

H. 1147. To authorize the State Law Enforcement Department to pay to Rufus Cannon, a member of said Department, the sum of Three Hundred Five and 00/00 Dollars, (\$305.00), to reimburse him for expenses incurred in the treatment of injury sustained by said Rufus Cannon, while engaged on the line and scope of his duties and making appropriation for that purpose.

Appropriations.

By Mr. Jeter (with notice and proof):

H. 1148. For the relief of John S. Hines.

Local Legislation.

Notice and Proof H. 1148:

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature in substance as follows:

A bill to be entitled an act for the relief of John S. Hines: Be it enacted by the Legislature of Alabama; that the Board of Revenue of Jefferson County, Alabama, be and it is hereby authorized and directed to draw a warrant on the County Treasury of said county in the sum of Five Thousand dollars (\$5,000.00) to reimburse the said John S. Hines for injuries suffered and expenses sustained on account thereof, while on duty as an employee of said county. And the County Treasurer is directed to pay said warrant out of any funds in the Treasury not otherwise appropriated.

STATE OF ALABAMA,

County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on July 23, 1927.

Geo. M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 15th day of August, 1927.

Bessie Stephens,
Notary Public.

By Mr. Hawkins:

H. 1149. Relating to the government of and control by civil service regulations of the Police and Fire Departments in all cities of the State of Alabama having a population of 100,000 or more, according to the last or any succeeding Federal census, and

relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

Municipal Organization.

By Mr. Simpson:

H. 1150. To amend Section 10318 of the Code of 1923.

Appropriations.

By Mr. Brunson (with notice and proof):

H. 1151. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

Local Legislation.

Notice and Proof H. 1151:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that the following bill will be introduced at the present session of the Legislature:

AN ACT

To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

Section 1. Be it enacted by the Legislature of Alabama: That the Tax Assessor and Tax Collector of Coffee County, Alabama, shall remain in the Town of New Brockton for a period of two days and at Kinston two days during the months of October, November and December, from eight o'clock in the morning until four o'clock in the afternoon of each year, for the purpose of collecting and assessing State and County taxes.

Sec. 2. That the Tax Collector and Tax Assessor shall give notice as they see fit, either by publication or by posting notices, of the time they will attend each of said towns for the purpose of assessing and collecting taxes.

Sec. 3. That the Tax Assessor and Tax Collector shall not be required to keep their offices open in any other place or places in the county, either in person or by deputy, during the time they are collecting and assessing taxes as provided in Section 1 of this Act.

Sec. 4. Be it further enacted that all laws and parts of laws inconsistent with the provisions of this Act are hereby repealed.

Enterprise, Ala., June 14, 1927.

John M. Lofin,

State Senator for the 25th District.

STATE OF ALABAMA,

Coffee County.

Before the undersigned, a Notary Public in and for said State and County, personally appeared J. H. Singleton, publisher of Enterprise Ledger, a newspaper published at Enterprise, in Coffee County, who states on oath that the attached notice was published four (4) consecutive issues in said newspaper, of dates: June 17, 24, July 1 and 8, 1927.

J. H. Singleton.

Sworn to and subscribed before me this 15th day of August, 1927.

J. L. Jeter,
Notary Public.

By Mr. Cannon:

H. 1152. To require the Board of Revenue, Courts of County Commissioners or other governing bodies of counties of this State having a population of not less than thirteen thousand or

more than forty-five thousand population according to the last Federal census or any future census, to furnish and pay for gasoline and oil used by the Sheriffs of said counties in the discharge of their official duties, not to exceed the sum of Fifty (\$50.00) Dollars per month.

Local Legislation.

By Mr. Jeter:

H. 1153. To authorize the Attorney General and his duly appointed assistants to summon and compel the attendance of witnesses before them, or either of them, to testify in investigations of certain civil and criminal matters, which the law authorizes the Attorney General to conduct, and to prescribe the fees and mileage of such witnesses, and the fees of officers serving such subpoenas.

Revision of Laws.

By Mr. Morrow:

H. 1154. For the relief of M. V. Henry, Treasurer of Jefferson County, Alabama.

Local Legislation.

By Mr. Powell (with notice and proof):

H. 1155. To better provide for the pay of salaried deputy sheriffs of Walker County out of the fine and forfeiture fund of said county, and to prescribe the method for paying same and the duties of said deputies.

Local Legislation.

Notice and Proof H. 1155:

NOTICE

Notice is hereby given that the following act will be introduced for passage in the present session of the Legislature, namely:

AN ACT

Entitled an Act, to better provide for the pay of salaried deputy sheriffs of Walker county out of the fine and forfeiture fund of said county, and to prescribe the method for paying same and the duties of said deputies.

Be it enacted by the Legislature of Alabama:

Section 1. That, from and after the first day of January, 1929, there shall be set aside as a fund to apply on the payment of the salaries of deputy sheriffs of Walker County that may now or hereafter be on a salary payable by the county, one-half of all the money realized from the hire of county convicts and one-half of all the money collected as fines and forfeitures belonging to said Walker County, which said fund when so set aside shall not be used for any purpose except to apply on the salary of county paid deputy sheriffs.

Section 2 Be it further enacted that it shall be the duty of deputy sheriffs on a salary paid by the county to perform services as bailiffs of the various courts without further or additional pay than their salary, and no extra pay shall be had for such services.

Section 3. Be it further enacted that all laws and parts of laws in conflict herewith are hereby repealed.

J. B. Powell.

THE STATE OF ALABAMA,
Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared Irving A. Dove, publisher of the Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached, was published in the said Jasper Advertiser once a week for four consecutive weeks, namely: July 20, July 27, August 3 and August 10, 1927.

Irving A. Dove,
Publisher.

Sworn to and subscribed to before me, this 13th day of August, 1927.

Arthur Sartain,
Notary Public.

By Mr. Allen (by request) :

H. 1156. Authorizing, directing and requiring the exclusive use of cotton wrappings, containers or bags on such materials as are purchased by or used under the authority of the State of Alabama wherever such materials are commercially produced and sold in cloth wrappings, containers or bags other than cotton.

Agriculture.

BILLS ON SECOND READING

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1106. To amend Section 2 of an Act entitled "An Act to divide Tallapoosa County, Alabama, into five Commissioners Districts and provide for the election of Commissioners from each of said Districts" approved September 7, 1923.

H. 1108. To establish a Board of Revenue for Wilcox County, and for the abolishment of the Court of County Commissioners of said county.

H. 1110. Authorizing the Court of County Commissioners or other governing board of said County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

H. 1112. To amend Section 2 of a Local Act approved September 19, 1923, entitled an Act to provide additional duties, and confer additional powers on each member of the Court of County Commissioners of Crenshaw County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district; to extend the time now allowed by law to the County Commissioners of Crenshaw County for the discharge of their official duties, and to fix their salary and mileage.

H. 1119. To fix the salary of the Probate Judge of Jefferson County, Alabama, and to provide for paying same.

H. 1121. To provide that the members of the Board of Revenue of Lawrence County, Alabama, shall each receive four dollars per day instead of three dollars for service rendered said County and to repeal all general, special, or local laws in conflict with the provisions of this Act.

H. 1127. To provide for the government and control by Civil Service Regulations of the Police and Fire Departments in cities of the State of Alabama having a population of one hundred thousand or more according to the last or any succeeding Federal census; and in such cities to continue Civil Service Boards, provide for their appointment and selection; to provide that members of such departments shall remain and continue in their respective employment during good behavior subject to removal for cause; to provide for the meaning of "patrolman" and "officer" as contained in said Act and to designate who shall be officers of the Police Department, and to name offices and as to how offices in the Police and Fire Departments shall be filled; to vest authority in Civil Service Boards to create additional places in such departments; to provide that the Chief of Police shall be in supreme charge of the operation and management of the police department in his city subject to law and rules and regulations of the Civil Service Board of his city; to provide the meaning of "members of the Fire Department;" to provide for the continuance of Civil Service Boards and for their power, duties and authority and their terms, and their appointments, and to fill vacancies thereon; to provide for the removal of any member of the Civil Service Board for incompetency and for other causes; to provide for applicants for places or positions in the Police and in the Fire Departments of such cities; their examinations; to authorize Civil Service Boards to change, add to, alter or rearrange positions, places and offices in said departments; to fix the age limit for applicants to such Police Department subject to reduction or change by the Civil Service Boards; to provide and fix a schedule of heights and weights for applicants for positions in the Police Departments, and for the control of all examinations of applicants; to provide that in such cities members of Fire Department below the rank of chief shall not be required to work more than one hundred sixty-eight hours in any two weeks except in cases of urgent emergency, and to provide authority in the Civil Service Board for readjustments in such Fire Department as to make said provisions effective: for the filling of vacancies in the ranks of patrolmen and firemen in said departments and to provide for probationers therein; to provide promotion and demotion committees in the Fire Departments and in the Police Departments in the cities coming

under this Act, and granting authority, powers and duties thereto, and to name and designate the number of the promotion and demotion committees in said departments and from what classification of employees or members of such departments the promotion and demotion committees shall be filled, and to provide for promotions and demotions in such departments and the conditions under which demotions may be made, and the requirements with respect thereto and for the continuation of the membership of the promotion and demotion committees of such Fire and Police Departments with change of number and otherwise as to such Police Departments, and for the eligibility to appointment as a detective or plain clothes officers in the Police Department, and to provide for the filling of vacancies or places or positions to be filled by promotion; and for appointment for temporary service of police officers; and to provide against violation of the provisions of this Act or any part thereof; and to provide for the removal of members of the Fire or Police Department for cause and after trial before the Civil Service Board; and to provide in event of reduction in number of membership of either of said departments how the reduction shall be accomplished and for the reinstatement of those dropped; to provide that the Board shall have the power to administer oaths and for their meetings, and for reports to be made, and to provide for the compensation of the members of such civil service boards; and to provide penalties for violations of this Act; and to provide who shall be eligible to take examinations under this Act; and to provide that each section thereof and part thereof are independent sections and parts of sections and that the holding of any section or part thereof to be void, ineffective or unconstitutional shall not affect the other sections or part thereof; to provide when the Act shall take effect and that all laws or parts of laws inconsistent herewith be repealed.

H. 1126. To create in all cities of the State of Alabama which have a population of as much as one hundred thousand people according to the last Federal census, or which shall have such population according to any such census that may be hereafter taken, special funds to be known as Policemen's Pension and Relief Funds, same created in connection with the regularly organized and paid police departments of such cities; to provide for the setting apart of such funds, to create a pension and relief system applicable to members of the police departments of such cities; to provide benefits under this Act for and to members of such departments as may be brought into such departments by merger from other municipalities in addition to members of such departments otherwise existing; to provide for the computation as to age or time of service of any member of any police department affected by this Act so that such members

shall have added to his present service in the police department of the respective cities provided for herein any other service he may have had in either the fire or police department of his said city, and also as a police officer in any municipality which has been merged or taken into his said city; to provide for the creation of such funds and for appropriations to make up deficit therein and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall come under the provisions of this Act; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the police department in such cities during their disability, and for the retirement of such members on pension, either by reason of term of service or disability; to provide for the pensioning of members of such police department after twenty years of service therein, the last five of which are consecutive years service; to provide for allowances or benefits to widows and children and dependent widowed mothers of such members of such police department in the event of death of such member; to provide for the appropriation for funeral expenses upon the death of such member; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide for applications to be made by widows and children or widowed mother for benefits; to provide that members receiving benefits shall be bona fide residents of the county in which the city is located which creates the fund from which such members, respectively, receives benefit; to provide for gifts, donations, legacies or otherwise to be made to such funds and for the appointment of trustees for all purposes in connection therewith; and providing that any section or provision of the Act being held unconstitutional shall not affect the validity of any other section or provision; to provide when the Act shall take effect; to provide that all laws and parts of laws in conflict with the provisions of the Act be repealed.

H. 1129. To amend Section 6 of an Act entitled an Act to enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said county, and to provide for the holding of regular terms of said Court, approved September 20, 1923, to increase the salary of the Deputy Clerk and Register of said Court to Nine Hundred Dollars per annum, and to increase the salary of the Deputy Sheriff of said Court at Alexander City to Fifteen Hundred Dollars per annum.

S. 405. To relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and

have same permanently bound and kept as permanent record and prepare Tax Collector's Abstracts from said assessment lists.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 492. To amend Section 5645 of the Code of Alabama of 1923.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 386. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended altered and rearranged."

S. 498. To amend an Act approved September 18, 1923, and entitled "An Act to provide and create a commission form of municipal government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand or less than fifty thousand people according to the last Federal census, or any such census which may hereafter be taken: to regulate the selection and election of Commissioners and their terms of office, to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government."

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 310. To require the teaching in the high schools and junior high schools of Alabama suitable lectures at least once each week on sexology, sociology, biology, physiology, anthropology, and prevention of social diseases; to require the teaching of the most important and significant of modern problem of racial hygiene and the cultivation of conditions that will tend to improve the qualities of future generations; to require a transmission by education of the knowledge and tradition of sex problems to all boys and girls thirteen years old and up in the high schools and junior high schools, teaching the boys and girls separately; to

require biologic instruction to prepare the growing generation for the demands of adult life and development; to require the teaching of the danger of contagious diseases and instruction as to their prevention, and to prescribe the powers and duties of the Superintendent of Education, the State Board of Education and the State Health Officer in connection herewith, and providing that expenses incurred in carrying out the provisions of this Act shall be paid out of the general Educational fund of the State.

S. 430. To amend Section 1106, Code of Ala. 1923, relative to venereal disease control.

S. 432. To amend Sections 1438 and 1453 of the Code of 1923.

Mr. Deloney, Vice-Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 395. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

(With amendment.)

S. 356. To establish an inferior court in precinct 42, in Jefferson County, Alabama, to be called the Inferior Court of North Birmingham, in lieu of all justices of the peace in said precinct and in lieu of all notaries public with powers of justices of the peace and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory or any part thereof, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof. To provide for a place of holding said court, the terms and salaries of the judge and officers of said court, the manner of their appointment and election and the payment of their salaries and that said court shall be a court of record.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1122. To adopt the Code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education."

Mr. Christian, Chairman of the Standing Committee on Soldiers Home, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1107. To admit to the Soldiers' Home at Mountain Creek certain indigent female relatives of Confederate Veterans.

The above and foregoing bills were severally read a second time and placed on the calendar.

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 940.

H. 661.

H. 177.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 745.

RECOMMITTAL OF BILLS

On motion of Mr. Sanderson the bill,

S. 393. To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of the revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith.

Was recommitted to the Standing Committee on Local Legislation.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Jordan of Etowah, the bill:

By Mr. Jordan of Etowah (with substitute):

H. 416. To provide for the incorporation and powers of "Building and Loan Associations"; to provide for their regulation, examination, supervision and taxation for the purpose of defraying the expense of carrying out the provisions of his Act.

Was indefinitely postponed.

On motion of Mr. Waddell, the bill:

By Mr. Stewart of Calhoun (with substitute):

H. 279. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Was indefinitely postponed.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

Gentlemen:

I return herewith to the House of Representatives, the legislative body in which it originated, House Bill Number 357 without my approval. I suggest the following executive amendments, which, if concurred in by the Legislature, will remove any objection to the Bill:

First. Amend the Bill, Section 5 thereof by striking therefrom the words "Normal schools" where they occur in said Section.

Amend the Bill further by striking from Section 8 therein the words and letters "F. O. B. shipping point specified by the publisher".

Amend the bill further by striking from Section 19 thereof the following words at the end of said Section "And by consent of the publisher expressed by contract or otherwise."

Further amend the Bill by adding at the end of Section 25 therein the following: "Provided, however, that the appropriation herein contained shall not be available until, in the opinion of the Governor, the money in the Treasury warrants the release of the appropriation, and said appropriation shall not be released until approved by the Governor."

Respectfully,
Bibb Graves,
Governor.

August 11, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Long (Mr. Sanders presiding) the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill H. 357, said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 70; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Kirkpatrick	Sanders (Pike)
Adcock	Golson	Langdon	Sanderson
Anderson	Goode	Lee	Shepherd
Ashcraft	Goodwyn	Lovelace	Shivers
Baldwin	Graves	Martin	Simpson
Bartlett	Grove	Matthews	Smith
Beebe	Hampton	Miller (Sumter)	Starnes
Bryant	Hawkins	Morrow	Stephens
Burleson	Hightower	Moxley	Stewart (Bibb)
Burns	Hollis	Owens	Thompson
Byars	Howard	Patterson	Tompkins
Cannon	Howell	Pegues	Tunstall
Carter	Hubbard	Pitts	Vickers
Christian	Hughes	Quillin	Waddell
Cook	Johnson	Ringer	Wallace
Darden	Jones (Bullock)	Rivers	Ward (Tuscaloosa)
Denson	Jordan (Etowah)	Rogers (Mobile)	Weldon
Edwards	Jordan (Washington)		

—70

Which was a majority of the whole number elected to the House.

And said bill,

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

As amended by the amendment proposed by His Excellency the Governor, was again read a third time a length and passed.

Yeas, 70; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Kirkpatrick	Sanders (Pike)
Adcock	Golson	Langdon	Sanderson
Anderson	Goode	Lee	Shepherd
Ashcraft	Goodwyn	Lovelace	Shivers
Baldwin	Graves	Martin	Simpson
Bartlett	Grove	Matthews	Smith
Beebe	Hampton	Miller (Sumter)	Starnes
Bryant	Hawkins	Morrow	Stephens
Burleson	Hightower	Moxley	Stewart (Bibb)
Burns	Hollis	Owens	Thompson
Byars	Howard	Patterson	Tompkins
Cannon	Howell	Pegues	Tunstall
Carter	Hubbard	Pitts	Vickers
Christian	Hughes	Quillin	Waddell
Cook	Johnson	Ringer	Wallace
Darden	Jones (Bullock)	Rivers	Ward (Tuscaloosa)
Denson	Jordan (Etowah)	Rogers (Mobile)	Weldon
Edwards	Jordan (Washington)		

—70

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

By Mr. Jackson:

S. J. R. 90. Whereas, sad intelligence has come to the Legislature of Alabama that former Governor Braxton Bragg Comer has passed to the beyond and that his funeral will be held this afternoon at four o'clock; and

Whereas, former Governor Comer was an outstanding, courageous and forward-looking Governor of the great State of Alabama; and

Whereas, he was a virile and conspicuous figure in the public life of Alabama for many years; and

Whereas, he was a Christian citizen and progressive leader in all the things that made for good citizenship in the State and in the Nation;

Now therefore be it resolved by the Senate of Alabama, the House of Representatives concurring, that out of respect to his memory and as a tribute to his greatness as a statesman and a citizen that we extend to the State our sorrow at his passing and to his family and friends our sincere sympathy in their bereavement and that a copy of this resolution be sent to the family.

Be it further resolved, that the Senate and House recess during the hour of his funeral and that when the Legislature adjourns for the day that it adjourn to meet on Thursday, as a token of its respect and sympathy.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Tompkins the House concurred in and adopted the S. J. R. 90 by the unanimous rising vote of the House.

Mr. Sanderson called up his motion to take the Bill S. 238 from the adverse calendar and the motion to take the Bill S. 238 from the adverse calendar was lost.

Mr. Tompkins made the following motion in writing.

I move that the House Standing Committee on Judiciary be, and that Committee hereby is, directed to act on Senate Bill 275, and report same to this House at the next sitting of this House.

And the motion of Mr. Tompkins was lost.

Yeas, 43; Nays, 44.

Yeas:

Messrs:

Adcock	Darden	Johnson	Rivers
Anderson	Fite	Jones (Bullock)	Smith
Ashcraft	Frey	Kirkpatrick	Starnes
Bartlett	Golson	Lee	Stephens
Brunson	Goode	McAdory	Stewart (Bibb)
Bryant	Hightower	Matthews	Thompson
Burns	Hollis	Miller (Sumter)	Tompkins
Byars	Howard	Mullen	Ward (Tuscaloosa)
Cannon	Hubbard	Nipper	Webb
Christian	Hughes	Pegues	Weldon
Cockrell	Jeter	Quillin	

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Nays:

Messrs:

Mr. Speaker	Goodwyn	Lovelace	St. John
Allen	Grove	Luck	Sanders (Conecuh)
Baldwin	Guy	Martin	Sanders (Pike)
Beebe	Hampton	Moxley	Sanderson
Burleson	Harwood	Norman	Shepherd
Carter	Hawkins	Parish	Shivers
Cook	Howell	Patterson	Simpson
Deloney	Jordan (Etowah)	Pitts	Tunstall
Denson	Jordan (Washington)	Poole	Vickers
Edmundson	Langdon	Ringer	Waddell
Edwards	Lawler	Rogers (Mobile)	Wallace

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House Amendment to the bill:

S. 54. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act.

Said Conference report being in the following words and figures to-wit:

To the President of the Senate and the Speaker of the House:

We, your Committee on Conference, on the disagreement of the two Houses on Senate Bill No. 54, entitled

"An Act to enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act."

Beg leave to report as follows:

We recommend that the House recede from the following House Amendments:

"To amend S. B. 54, section 4, as follows: by adding to section 4 just after the words "Motor Carrier shall apply for such certificates of convenience and necessity" and just before the words "in addition to such other rules", and insert the following "Nothing in this Act shall be so construed as to prevent any person or persons to operate over the public roads of this State, after said person or persons have filed the proper application, presented the required bond, and paid the required fees, and complied with the regulations as to fare, service, schedule as provided herein."

"House 7-29-27 Adopted Y. 65, N. 4. J. H. Stewart, Clerk."

"To amend S. B. 54, by striking from the title or caption thereof the words "franchise and license" wherever they appear in said title or caption."

"To amend S. B. 54, section 12, as follows: by inserting the word "tax" just after the word "the" and before the word "commission."

"To amend S. B. 54, section 49, by striking therefrom beginning after the words "Highways of the State" the following: "If the matters included in this section are not regulated by statute, nor by any rules or regulations of the State Highway Commission, the said Public Service Commission may prescribe such reasonable rules and regulations as in its judgment may be necessary", and insert in lieu thereof the following: "And all such other regulations as provided by law. The Alabama Public Service Commission shall forward, forthwith, all applications for certificates to operate upon the public highway by any motor carriers to the State Highway Commission, who shall have concurrent jurisdiction in all matters as provided in this section, and no certificate for the operating of motor carriers shall be issued until approved by the proper officer of the State Highway Commission."

"Amendment to S. B. 54 by Mr. Goodwyn:

Amend S. 54 by striking section 9 therefrom and inserting in lieu thereof the following:

Section 9. The expenses incurred under the provisions of this Act, when certified by the Commission or its president and approved by the Governor, shall be paid on warrants drawn by the proper officer in pursuance hereof out of monies heretofore appropriated for the expenses of the Commission and provided for in section 9619 of the Code of Alabama.

House 7-29-27. Adopted Y. 61, N. 1. J. H. Stewart, Clerk."

"Amend section 7 of Senate Bill 54 by striking the last sentence thereof and inserting in lieu thereof the following:

"All amounts collected hereunder shall be paid by the Commission into the State Treasury within thirty days after their receipt and shall be placed to the credit of the State Highway Department.'"

We further recommend that the Senate accede to and concur in the following House Amendments:

"To amend S. B. 54, section 4, by striking therefrom the entire section, and substitute therefor the following:

"Section 4. After three months from the going into effect of this Act, no motor carrier shall operate for the transportation of persons or property for hire between fixed termini or over a regular route upon any public highway in this State without first obtaining from the Commission under the provisions of this Act, a certificate to the effect that public convenience and necessity require such operation.

A certificate may be granted when it appears to the satisfaction of the Commission that such person was actually operating on January 1, 1927, over the route for which such certificate is sought, in good faith and in a manner deemed by the Commission beneficial to the public and adequate as to service, rates and the protection of the public; provided the applicant must comply with the provisions of this Act. Any such rights or certificate held, owned or obtained by a motor carrier may be sold, assigned, leased, transferred or inherited as other property, and the privileges thereunder exercised, only upon authorization by the Commission.

The Commission shall have power, after hearing, to issue said certificate as prayed for; or for good cause shown, to refuse to issue same, or to issue it for the partial exercise only of said privilege sought.

Motor carriers must operate and furnish service in conformity with the current existing terms and provisions of their respective certificate of convenience and necessity. Such certificate shall be void unless the applicant to whom it is granted begins operations thereunder within three months from the date the

certificate is issued. The Commission may adopt rules prescribing the manner and form in which motor carriers shall apply for such certificates of convenience and necessity. In addition to such other rules as may be adopted by the Commission, said application must be in writing and sworn to, and must show the following:

(a) The name and address of the applicant and full information concerning the financial condition and property of the applicant.

(b) The entire route over which the applicant desires to operate and the kind of transportation, whether passenger or freight, or both, in which the applicant proposes to engage, together with a brief description of each vehicle which the applicant intends to use, including the seating capacity, if for passenger traffic, or the tonnage capacity, if for freight traffic.

(c) Proposed time schedule.

(d) A statement showing the passenger fares or freight rates to be charged between the several points or localities to be served."

"To amend S. B. 54, section 5, by striking from the section the following words: "begins operations under" just after the words "Motor Carrier" and just before the words "such certificate" and insert in lieu thereof the following words: "shall obtain."

"To amend S. B. 54, section 7, by striking therefrom the last eight words of this section, "Except as may otherwise be provided by law."

"To amend S. B. 54, section 8, by adding just after the words, "of their duties hereunder," the following "with and by the approval of the Governor. All money paid out under the provisions of this section shall be paid out of the Motor Carrier Fund on warrants drawn by the state auditor on the state treasurer and approved by the Governor. Provided that the Alabama Public Service Commission shall have no authority or power to expend any amount exceeding seven thousand five hundred (\$7,500.00) dollars per annum, in the operation of the provisions of this Act, which amount shall include all salaries and all expense of whatever nature as applied thereto. Whenever the amount accruing to the Motor Carrier Fund, as provided by section 7 of this Act or by any other fee provided by law, shall equal seven thousand five hundred (\$7,500.00) dollars per annum, the credits to the Motor Carrier Fund shall cease, and all amounts received as provided in section 7 of this Act, and any and all other amounts as may have been otherwise provided by law, shall then and thereafter during said year be credited to the maintenance fund of the State Highway Department, anything to the contrary, notwithstanding."

"To amend S. B. 54, section 9, by adding the following words to this section: "provided that said expenditures shall not exceed seven thousand, five hundred (\$7,500.00) dollars per annum."

"To amend S. B. 54, section 10, subsection (b) by adding the following words: "when not subject to section 13 of this Act."

"To amend S. B. 54, section 10, subsection (d) by adding the following words thereto: "except nothing in sub-division (c) and (d) shall be construed to prevent a return load of farm supplies to be hauled, provided no charge is made therefor."

"To amend S. B. 54, section 11, by striking therefrom the entire section 11, and substitute therefor the following:

"If any motor vehicle shall be operated over any public highway of this state in such manner as to come into competition with any motor carrier operating under a certificate issued by the commission, if such motor vehicle is operated between fixed termini or over a regular route, even though there may be periodic or irregular departure from such termini or route, the commission may investigate the operation of such motor vehicle and if, upon notice, hearing and investigation, the commission finds that such motor vehicle is being operated in competition with any such motor carrier, the commission may order the operator of any such motor vehicle to cease and desist from such operation, or the commission may require the operator of such motor vehicle to apply for and obtain a certificate of convenience and necessity hereunder before such motor vehicle shall be allowed to continue such operation. Any certificate of convenience and necessity issued to the operator of such motor vehicle shall be subject to all the terms and provisions of this Act and the operator thereof shall thereafter be deemed a motor carrier and subject to the provisions of this Act."

"To amend S. 54, section 33, by striking therefrom beginning after the word "State" the following words: "in the same manner as other expenses of the commission are audited and paid", and insert in lieu thereof the following: "out of the Motor Carrier Fund and subject to the provision of section 7 of this Act."

"To amend S. B. 54, section 35, subdivision (a), by adding the words thereto: "except as otherwise provided by law."

"Amend Senate Bill No. 54, as follows:

Amend section 47 thereof so as to cause the same to be and read as follows:

"Section 47. For the extra, new and additional duties imposed upon the Alabama Public Service Commission and the members thereof by this Act, and for the performance of the duties which are and will be hereafter required of said Commission and the members thereof hereunder, each member of the Commission shall receive an additional one thousand dollars an-

nually, to be paid monthly as the salaries of other officers are paid, only out of monies in the state treasury to the credit of the said Motor Carrier Fund, as herein provided for in section 7 of this Act."

Fred Fite,
W. B. Nolen,
Wm. E. Jones,
Committee on the part of the
Senate.

J. N. Poole,
R. T. Lawler,
C. M. A. Rogers,
Committee on the part of the
House.

And said bill, as amended by the report of the Committee on Conference was again read a third time at length and passed by the Senate.

And said bill, together with the report of the Committee on Conference is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Poole the House concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the Bill, S. 54. Said report of said Committee of Conference being set out in the above and foregoing Message from the Senate.

Yeas, 71; Nays, 4.

Yeas:

Messrs:

Adcock	Golson	Langdon	Rivers
Anderson	Goode	Lawler	St. John
Ashcraft	Goodwyn	Lee	Sanders (Concuh)
Baldwin	Green	Lovelace	Sanders (Pike)
Bartlett	Grove	McAdory	Sanderson
Beebe	Guy	Matthews	Shepherd
Bryant	Hampton	Merrill	Shivers
Burleson	Hawkins	Miller (Sumter)	Simpson
Burns	Hightower	Moxley	Starnes
Byars	Howard	Mullen	Stewart (Calhoun)
Carter	Hubbard	Nipper	Thompson
Cockrell	Hughes	Norman	Tunstall
Cook	Jeter	Owens	Vickers
Denson	Jones (Bullock)	Parish	Waddell
Edmundson	Jones (Cleburne)	Pegues	Ward (Tuscaloosa)
Edwards	Jordan (Etowah)	Pitts	Webb
Fite	Jordan (Washington)	Poole	Weldon
Frey	Kirkpatrick	Ringer	

*Nays:**Messrs.:*

Cannon

Hollis

Quillin

Stephens

—4

And said bill:

S. 54. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act."

As thus amended was again read a third time at length and passed.

Yeas, 71; Nays, 4.

*Yeas:**Messrs:*

Adcock

Anderson

Ashcraft

Baldwin

Bartlett

Beebe

Bryant

Burleson

Burns

Byars

Carter

Cockrell

Cook

Denson

Edmundson

Edwards

Fite

Frey

Golson

Goode

Goodwyn

Green

Grove

Guy

Hampton

Hawkins

Hightower

Howard

Hubbard

Hughes

Jeter

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Langdon

Lawler

Lee

Lovelace

McAdory

Matthews

Merrill

Miller (Sumter)

Moxley

Mullen

Nipper

Norman

Owens

Parish

Pegues

Pitts

Poole

Ringer

Rivers

St. John

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shepherd

Shivers

Simpson

Starnes

Stewart (Calhoun)

Thompson

Tunstall

Vickers

Waddell

Ward (Tuscaloosa)

Webb

Weldon

—71

*Nays:**Messrs:*

Cannon

Hollis

Quillin

Stephens

—4

BILLS ON THIRD READING

H. 1026. To further provide for the taxation of persons, firms and corporations doing a telegraph or telephone business or that of operating express companies in the State of Alabama.

Was read a third time at length and passed.

Yeas, 72; Nays, 3.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Kirkpatrick	Rivers
Adcock	Graves	Langdon	Rogers (Mobile)
Allen	Grove	Lee	St. John
Anderson	Guy	Lovelace	Sanders (Concuh)
Ashcraft	Hampton	Luck	Sanders (Pike)
Baldwin	Harwood	McAdory	Shivers
Bartlett	Hawkins	Matthews	Simpson
Bryant	Hightower	Merrill	Smith
Burns	Hollis	Miller (Sumter)	Stephens
Byars	Howard	Morrow	Stewart (Calhoun)
Carter	Howell	Moxley	Thompson
Darden	Hubbard	Mullen	Tompkins
Deloney	Hughes	Owens	Tunstall
Denson	Jeter	Parish	Vickers
Edwards	Johnson	Patterson	Wallace
Fite	Jones (Bullock)	Quillin	Ward (Tuscaloosa)
Frey	Jones (Cleburne)	Rankin	Webb
Goode	Jordan (Etowah)	Ringer	Weldon

—72

Nays:

Messrs.:

Cannon	Cockrell	Waddell
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—3

And on motion of Mr. Tunstall the Bill H. 1026 was ordered sent to the Senate without Engrossment.

S. 390. To amend Section 1 of an Act to amend Sections 3 and 6 of an Act entitled an Act to further provide for and regulate the payment of pensions to Confederate soldiers and sailors and their widows and to make necessary appropriations therefor, approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

Was read a third time at length and passed.

Yeas, 83; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Hightower	Luck
Adcock	Denson	Hollis	McAdory
Allen	Edmundson	Howard	Martin
Anderson	Edwards	Howell	Matthews
Ashcraft	Fite	Hubbard	Merrill
Baldwin	Frey	Hughes	Miller (Sumter)
Brunson	Golson	Jeter	Moxley
Bryant	Goode	Johnson	Mullen
Burleson	Goodwyn	Jones (Bullock)	Nipper
Byars	Graves	Jones (Cleburne)	Parish
Cannon	Green	Jordan (Etowah)	Patterson
Carter	Grove	Kirkpatrick	Pegues
Christian	Guy	Langdon	Pitts
Cockrell	Hampton	Lawler	Quillin
Cook	Harwood	Lee	Ringer
Darden	Hawkins	Lovelace	Rivers

Rogers (Mobile)	Shivers	Thompson	Wallace
St. John	Simpson	Tompkins	Ward (Tuscaloosa)
Janders (Conecuh)	Smith	Tunstall	Webb
Sanders (Pike)	Stephens	Vickers	Weldon
Sanderson	Stewart (Calhoun)	Waddell	

—83

H. 935. (with amendment): To amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama, 1923.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Banks and Banking. Said Committee Amendment being as follows:

Committee amendment to H. B. 935.

Amend House Bill 935 by adding to the caption thereof as follows: "And providing for the regulation, supervision and taxation of building and loan associations and to fix penalties for the violations" of this act."

Amend House Bill 935 by adding to sub-section "F" of Section three (3) after the words "to their members only" as follows: "such loans shall be secured by first mortgage on real estate or"

Amend House Bill 935 by adding to sub-section Eleven (11) of section five thereof as follows: "Withdrawable sums shall not be deemed a part of the Capital Stock for purposes of taxation."

Amend House Bill 935 by striking the following words from the ending of section six thereof "turned into the general fund of the State Treasury at the end of each fiscal year," and add in lieu thereof as follows: inure to the benefit of the Building and Loan Association Board for the purpose of proper supervision and regulation of Building and Loan Associations."

Amend House Bill 935 by striking the words "Probate Judge" where they appear in the bill and inserting in lieu thereof the words "Secretary of State as Corporation Commissioner ex-officio."

And the amendment reported by the Standing Committee on Banks and Banking was adopted.

Yeas, 74; Nays, 0.

Yeas:

Messrs.:

Adcock	Byars	Frey	Hightower
Allen	Cannon	Goode	Hollis
Anderson	Carter	Goodwyn	Howard
Ashcraft	Cockrell	Graves	Howell
Baldwin	Cook	Green	Hubbard
Beebe	Darden	Grove	Hughes
Brunson	Denson	Hampton	Jeter
Bryant	Edwards	Harwood	Johnson
Burns	Fite	Hawkins	Jones (Bullock)

Jones (Cleburne)	Miller (Sumter)	Rankin	Stephens
Jordan (Etowah)	Moxley	Rivers	Stewart (Calhoun)
Kirkpatrick	Mullen	Rogers (Mobile)	Thompson
Langdon	Nipper	St. John	Tunstall
Lee	Owens	Sanders (Conecuh)	Vickers
Lovelace	Parish	Sanderson	Wallace
McAdory	Patterson	Shivers	Ward (Tuscaloosa)
Martin	Pegues	Simpson	Webb
Matthews	Pitts	Smith	Weldon
Merrill	Poole		

—74

And said Bill:

H. 935. To amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama 1923.

As amended by the amendment reported by the Standing Committee on Banks and Banking was read a third time at length and passed.

Yeas, 72; Nays, 1.

Yeas:

Messrs:

Adcock	Golson	Kirkpatrick	Rivers
Allen	Goode	Lawler	Rogers (Mobile)
Anderson	Goodwyn	Lee	Sanders (Conecuh)
Ashcraft	Graves	Lovelace	Sanders (Pike)
Bartlett	Grove	Luck	Sanderson
Beebe	Hampton	McAdory	Shepherd
Brunson	Harwood	Matthews	Simpson
Bryant	Hightower	Miller (Sumter)	Smith
Burns	Hollis	Moxley	Starnes
Christian	Howard	Mullen	Stephens
Cockrell	Howell	Nipper	Stewart (Calhoun)
Cook	Hubbard	Norman	Thompson
Darden	Hughes	Owens	Tompkins
Deloney	Jeter	Parish	Vickers
Denson	Johnson	Patterson	Waddell
Edmundson	Jones (Bullock)	Pegues	Wallace
Edwards	Jones (Cleburne)	Pitts	Ward (Tuscaloosa)
Frey	Jordan (Etowah)	Rankin	Webb

—72

Nay:—Mr. Cannon—1.

On motion of Mr. Jordan of Etowah the Bill H. 935 was ordered sent forthwith to the Senate without engrossment.

On motion of Mr. Cockrell the further consideration of the Bill H. 586 was postponed until the next Legislative Day and said Bill not to lose its place on the calendar and to be taken up as unfinished business.

BILLS ON THIRD READING

H. 806. To provide for the commitment of veterans of any war, military occupation or expedition, who are of unsound mind,

to a United States Veterans' Bureau hospital for restraint, care and treatment.

Was read a third time at length and passed.

Yeas, 74; Nays, 0.

Yeas:

Messrs:

Adcock	Fite	Kirkpatrick	Rogers (Mobile)
Allen	Frey	Langdon	St. John
Anderson	Golson	Lawler	Sanders (Conecuh)
Ashcraft	Goode	Lee	Sanders (Pike)
Baldwin	Goodwyn	Lovelace	Sanderson
Bartlett	Grove	Luck	Shepherd
Burleson	Harwood	McAdory	Shivers
Burns	Hightower	Matthews	Simpson
Byars	Hollis	Merrill	Starnes
Cannon	Howard	Miller (Sumter)	Stephens
Carter	Howell	Moxley	Stewart (Calhoun)
Christian	Hubbard	Mullen	Thompson
Cockrell	Hughes	Nipper	Tompkins
Cook	Jeter	Patterson	Vickers
Darden	Johnson	Pegues	Wallace
Deloney	Jones (Bullock)	Quillin	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Rankin	Webb
Edmundson	Jordan (Etowah)	Rivers	Weldon
Edwards	Jordan (Washington)		

—74

On motion of Mr. Frey the Bill H. 806 was ordered sent forthwith to the Senate without engrossment.

RECESS

On motion of Mr. Simpson the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The Hour of 2:30 o'clock P. M. having arrived the House reconvened.

REPORT OF CONFERENCE COMMITTEE

Mr. Goodwyn from the Committee of Conference heretofore appointed on the disagreement of the two Houses on the Senate amendment to the Bill H. 604 made the following report:

To the Speaker of the House,

To the President of the Senate:

Your committee of conference having under consideration House bill 604, with Senate substitute, beg leave to report as follows:

First. We recommend that the Senate recede from its adoption of the substitute bill as an amendment to the House bill.

Second. We further recommend that the Senate adopt the substitute hereto attached marked Exhibit "A" as an amendment to the House Bill and pass the bill as amended.

- Third. We further recommend that the House concur in the Senate substitute as an amendment to the House bill.

Fourth. We further recommend that the House pass the substitute bill as amended by the Senate.

Respectfully submitted,
Chas. B. Teasley,
Chas. O. Stokes,
Committee on part of Senate.
R. T. Goodwyn,
L. A. Sanderson,
T. E. Martin,
Committee on part of House.

Exhibit "A"

Substitute Bill for House Bill 604 by Conference Committee:

A Bill to be entitled an act, to fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium of such sheriffs and deputies' bonds, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

Be it Enacted by the Legislature of Alabama:

Section 1. That during the period ending on the first Monday after the second Tuesday in January 1931, the sheriffs in all counties in this State, which now have, or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census, or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis, shall receive and be paid an annual sal-

ary of four thousand dollars net, in lieu of all other compensations, fees and emoluments and said sheriffs shall be allowed the sum of Nineteen Thousand five hundred dollars (\$19,500.00) per annum for help and assistance as follows; one deputy at twenty-four hundred dollars per annum, seven deputies at eighteen hundred dollars each per annum, nine hundred dollars per annum for an attorney; and one guard for the county jail in said counties at twenty one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and in addition to the above allowance the sheriffs of such counties shall be allowed from the passage and approval of this Act to the 31st day of December 1927, the sum of Two Thousand dollars, for other expenses and ex-officio services of said sheriffs and for his personal attendance upon such session of the Juvenile Court or courts of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff, and the said two thousand dollars to be paid to the said sheriff in equal monthly installments out of the general fund of said counties, and after the 31st day of December 1927, said sheriffs of such counties shall be allowed the further sum of two thousand five hundred dollars per annum for other expenses and ex-officio services of said sheriff and for his personal attendance upon each session of the Juvenile Court or court of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff. The said Two Thousand five hundred dollars to be paid to the said sheriff in equal monthly installments, out of the general fund of said counties. The selection and appointment of said deputies, guards and attorney shall be made by said sheriffs of said counties. That sheriffs of such counties shall not be allowed any additional sum for deputies, other than herein provided in this Act. Provided, however, that nothing in this Act shall be considered or construed as repealing sections 6716 and 6717 of the Code of Alabama, 1923, which said sections shall remain in full force and effect.

Section 2. That beginning on the first Monday after the second Tuesday in January 1931, the sheriffs in all counties in this State, which now have, or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census, or any such census which may hereafter be taken, where such sheriffs are constitutionally paid upon a salary basis, shall receive and be paid an annual salary of four thousand dollars net, in lieu of all other compensations, fees and emoluments and said sheriffs shall be allowed the sum of Fifteen Thousand Dollars (\$15,000.00) per annum for help and assistance as follows: one deputy at Twenty four hundred dollars per annum, four deputies at eighteen hundred dollars each per annum, six hundred dollars per annum for an attorney; and

one guard for the county jail in said counties at twenty one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and one guard for the county jail in said counties at twelve hundred dollars per annum, and in addition to the above allowance the sheriffs of such counties shall be allowed the further sum of two thousand dollars per annum for other expenses and ex-officio services of said sheriff and for his personal attendance upon each session of the Juvenile Court or Court of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff. The said Two Thousand dollars to be paid to the said sheriffs in equal monthly installments out of the general fund of said counties. The selection and appointment of said deputies, guards and attorney shall be made by said sheriffs of said counties. That sheriffs of such counties shall not be allowed any additional sum for deputies, other than herein provided in this Act. Provided, however, that nothing in this Act shall be considered or construed as repealing sections 6716 and 6717 of the Code of Alabama, 1923, which said sections shall remain in full force and effect.

Section 3. That in the event the bond of the sheriffs or any deputies in such counties shall be executed by a guaranty, surety, or bonding company, as surety, the amount of the annual premium to be paid to such company in consideration of such suretyship shall be paid by such counties out of the general funds of such counties.

Section 4. That in all such counties, the Courts of County Commissioners, Boards of Revenue and Courts of like jurisdiction are hereby authorized, empowered and required to provide the sheriffs in such counties with necessary quarters, books, stationery and other necessities and conveniences and pay for the same out of the general fund of such counties.

Section 5. That all compensation and salaries of said sheriffs mentioned in section one of this Act and all allowances for deputies and other assistance shall be paid out of the general fund of the several counties affected in monthly installments.

Section 6. That all of said sheriffs shall pay into the County treasury of said counties, all costs, charges of courts, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by said sheriffs as other money belonging to said counties are paid. The Courts of County Commissioners, Boards of Revenue and other Courts of like jurisdiction shall have the power and authority, and it shall be their duty to audit the accounts of said sheriffs for the purpose of requiring a strict compliance with the provisions of this Act.

Section 7. That all laws, or parts of laws, general and local, in conflict with the provisions of this Act, be and the same are hereby expressly repealed.

Section 8. If any section, clause, provision or portion of this Act shall be held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Section 9. That this Act shall take effect immediately upon its passage and approval by the Governor.

And on motion of Mr. Goodwyn the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 604.

Yeas, 74; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Jordan (Washington)	Quillin
Adcock	Goode	Kirkpatrick	Ringer
Allen	Goodwyn	Langdon	Rivers
Anderson	Graves	Lawler	Rogers (Mobile)
Ashcraft	Green	Lee	St. John
Baldwin	Grove	Lovelace	Sanders (Conecuh)
Bartlett	Hampton	Luck	Sanders (Pike)
Burleson	Harwood	McAdory	Sanderson
Burns	Hawkins	Martin	Shepherd
Cannon	Hightower	Miller (Sumter)	Simpson
Carter	Hollis	Molette	Smith
Cockrell	Howard	Morrow	Starnes
Cook	Howell	Moxley	Stewart (Calhoun)
Darden	Hughes	Mullen	Thompson
Deloney	Jeter	Nipper	Tompkins
Denson	Johnson	Norman	Waddell
Edmundson	Jones (Bullock)	Patterson	Wallace
Edwards	Jones (Cleburne)	Pitts	Webb
Fite	Jordan (Etowah)		

—74

And said bill:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and depu-

ties' bonds, and to authorize, empower and require the courts of county commissioners, boards of revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

As thus amended was read a third time at length and passed.
Yeas, 74; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Jordan (Washington)	Quillin
Adcock	Goode	Kirkpatrick	Ringer
Allen	Goodwyn	Langdon	Rivers
Anderson	Graves	Lawler	Rogers (Mobile)
Ashcraft	Green	Lee	St. John
Baldwin	Grove	Lovelace	Sanders (Conecuh)
Bartlett	Hampton	Luck	Sanders (Pike)
Burleson	Harwood	McAdory	Sanderson
Burns	Hawkins	Martin	Shepherd
Cannon	Hightower	Miller (Sumter)	Simpson
Carter	Hollis	Molette	Smith
Cockrell	Howard	Morrow	Starnes
Cook	Howell	Moxley	Stewart (Calhoun)
Darden	Hughes	Mullen	Thompson
Deloney	Jeter	Nipper	Tunstall
Denson	Johnson	Norman	Waddell
Edmundson	Jones (Bullock)	Patterson	Wallace
Edwards	Jones (Cleburne)	Pitts	Webb
Fite	Jordan (Etowah)		

—74

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution, and sends same herewith to the House:

By Mr. Fite:

S. J. R. 92. Resolved by the Senate, the House concurring, that we have heard with profound sorrow of the death of the brother of Senator John Craft, and we extend to him our sympathy in his hour of bereavement.

Resolved further that a copy of this resolution be forwarded by the Secretary of the Senate to Senator John Craft.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Waddell the House concurred in and adopted the S. J. R. 92 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution, and sends same herewith to the House:

By Mr. Fite:

S. J. R. 93. Whereas, the death of Judge E. H. Gary in New York City has removed one of the great industrial leaders of the world, and a friend to the industrial growth and development of the mineral district of Alabama; And, whereas, the industrial life of this state has suffered a great loss in his death;

Now, therefore, be it resolved by the Senate, the House concurring, that the two Houses have heard with profound sorrow of the death of this great leader of men and that we do extend to the family of the deceased our sympathy in this hour of loss; resolved further that the Secretary of the Senate be directed to forward to the family of Judge Gary a copy of these resolutions.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Frey, the House concurred in and adopted the S. J. R. 93 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Bills and ordered same sent forthwith to the House without Engrossment:

By Mr. Warren:

S. 48. To provide for the government, control and regulations, by Civil Service of the fire departments in all Cities of the State of Alabama having a Commission form of Government and having a population of more than eleven thousand and less than thirty five thousand according to the last decennial Federal Census; and to provide for civil service commissioners for such cities and fixing their duties, authority and powers; and to fix punishment for violations of the Act.

By Mr. Williams:

S. 251. To amend Section 7309, 7315, 7322, and 7326 of the Code of Alabama, 1923, and to repeal Section 7318 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committee as follows:

Judiciary: S. 48; S. 251.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 20, Nays, 0.

And said bill, H. B. 357, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 19, Nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate Amendments to the bill:

H. 318. In relation to the Educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

Conferees on the part of the Senate Messrs. Ellis of Shelby, Nolen and Mitchell.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 765. To provide for refunding of money paid to drainage districts for bonds or securities issued by them under the provisions of an invalid act or law and to provide for the raising of funds therefor.

Was read a third time at length and passed.

Yeas, 68; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Fite	Kirkpatrick	St. John
Adcock	Goode	Lee	Sanders (Pike)
Allen	Graves	Lovelace	Shivers
Anderson	Green	McAdory	Smith
Ashcraft	Grove	Matthews	Starnes
Baldwin	Hampton	Miller (Marengo)	Stephens
Bartlett	Harwood	Molette	Stewart (Calhoun)
Bryant	Hawkins	Moxley	Thompson
Burleson	Hightower	Mullen	Tompkins
Burns	Hollis	Nipper	Tunstall
Christian	Hughes	Parish	Vickers
Cockrell	Jeter	Pegues	Waddell
Cook	Johnson	Pitts	Wallace
Darden	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Deloney	Jones (Cleburne)	Ringer	Webb
Denson	Jordan (Etowah)	Rivers	Weldon
Edwards	Jordan (Washington)	Rogers (Mobile)	Winn

—68

Nay:—Mr. Cannon—1.

H. 766. To ratify, confirm and validate the corporate existence and corporate powers of all drainage districts heretofore organized as bodies corporate under the statutes of Alabama providing for the creation of drainage districts and organizing them into corporations, but which statutes have been declared invalid.

Was read a third time at length and passed.

Yeas, 70; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Cook	Harwood	Lovelace
Adcock	Darden	Hightower	McAdory
Allen	Deloney	Hollis	Matthews
Anderson	Denson	Howard	Miller (Marengo)
Ashcraft	Edwards	Hughes	Molette
Baldwin	Fite	Jeter	Moxley
Bartlett	Frey	Johnson	Mullen
Bryant	Goode	Jones (Cleburne)	Nipper
Burleson	Goodwyn	Jordan (Etowah)	Norman
Burns	Graves	Kirkpatrick	Owens
Christian	Green	Lawler	Parish
Cockrell	Grove	Lee	Pegues

Pitts	Sanders (Pike)	Stephens	Wallace
Rankin	Sanderson	Stewart (Bibb)	Ward (Tuscaloosa)
Reeder	Shepherd	Stewart (Calhoun)	Webb
Ringer	Simpson	Vickers	Weldon
Rogers (Mobile)	Smith	Waddell	Winn
St. John	Starnes		

—70

Nay:—Mr. Cannon—1.

H. 767. To validate certain bonds heretofore issued by drainage districts in Alabama.

Was read a third time at length and passed.

Yeas, 75; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Merrill	Shepherd
Adcock	Green	Miller (Marengo)	Shivers
Allen	Grove	Miller (Sumter)	Simpson
Anderson	Hightower	Molette	Smith
Ashcraft	Hollis	Moxley	Starnes
Baldwin	Howard	Mullen	Stephens
Bartlett	Howell	Nipper	Stewart (Bibb)
Bryant	Hughes	Norman	Stewart (Calhoun)
Burleson	Jeter	Owens	Thompson
Christian	Johnson	Parish	Tompkins
Cockrell	Jones (Bullock)	Patterson	Tunstall
Cook	Jones (Clebune)	Pegues	Vickers
Darden	Jordan (Etowah)	Rankin	Waddell
Deloney	Jordan (Washington)	Reeder	Wallace
Denson	Kirkpatrick	Ringer	Ward (Tuscaloosa)
Edwards	Lee	Rivers	Webb
Fite	Lovelace	Rogers (Mobile)	Weldon
Frey	McAdory	St. John	Winn
Goode	Matthews	Sanders (Pike)	

—75

Nay:—Mr. Cannon—1.

H. 768. To authorize Drainage Districts and sub-districts thereof now, heretofore or hereafter created to issue bonds for the payment of indebtedness now, heretofore or hereafter incurred; to provide for the assessment or reassessment against the lands and other property in such districts, and to provide for the collection of costs and expenses of installing and maintaining of levees and drainage systems now, heretofore or hereafter created not to exceed the increased value of such lands by reason of special benefits derived from such improvements, and to provide for the selling of bonds thereof, original or refunding, not to exceed the increased value of the property by reason of special benefits derived from such improvements.

Was read a third time at length and passed.

Yeas, 70; Nays, 2.

*Yeas:**Messrs:*

Mr. Speaker	Goode	Matthews	Rogers (Mobile)
Adcock	Goodwyn	Merrill	Sanders (Pike)
Allen	Green	Miller (Marengo)	Sanderson
Anderson	Grove	Molette	Simpson
Ashcraft	Hampton	Moxley	Smith
Baldwin	Harwood	Mullen	Starnes
Bartlett	Hightower	Nipper	Stephens
Brunson	Hollis	Norman	Stewart (Bibb)
Bryant	Howard	Owens	Stewart (Calhoun)
Burns	Hubbard	Parish	Thompson
Byars	Hughes	Patterson	Vickers
Cockrell	Jeter	Pegues	Waddell
Cook	Johnson	Pitts	Wallace
Darden	Jones (Cleburne)	Rankin	Ward (Tuscaloosa)
Denson	Kirkpatrick	Reeder	Webb
Edwards	Lee	Ringer	Weldon
Fite	Lovelace	Rivers	Winn
Frey	McAdory		

—70

Nays:—Messrs. Burleson and Cannon.—2.

On motion of Mr. Goode the Bills, H. 765, H. 766; H. 767 and H. 768 were ordered sent forthwith to the Senate without engrossment.

(With Amendment):

S. 374. To propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm, and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Constitutional Amendments. Said Committee amendment being as follows:

Senate bill 374. Committee Amendment.

Amend Senate Bill 374 by changing second "Section 2" so as to read "Section 2A."

And the amendment reported by the Standing Committee on Constitution and Constitutional Amendments was adopted.

Yeas, 78; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	McAdory	Rivers
Adcock	Golson	Matthews	Rogers (Mobile)
Allen	Goodwyn	Merrill	St. John
Anderson	Goode	Miller (Marengo)	Sanders (Conecuh)
Ashcraft	Green	Miller (Sumter)	Sanders (Pike)
Baldwin	Grove	Molette	Sanderson
Bartlett	Harwood	Morrow	Shepherd
Beebe	Hightower	Moxley	Simpson
Branson	Hollis	Mullen	Smith
Bryant	Howard	Nipper	Starnes
Burns	Hubbard	Norman	Stephens
Byars	Jeter	Owens	Stewart (Calhoun)
Carter	Johnson	Parish	Tompkins
Christian	Jones (Bullock)	Patterson	Waddell
Cockrell	Jones (Cleburne)	Pegues	Wallace
Cook	Jordan (Etowah)	Pitts	Ward (Tuscaloosa)
Darden	Jordan (Washington)	Rankin	Webb
Deloney	Kirkpatrick	Reeder	Weldon
Edwards	Lee	Ringer	Winn
Fite	Lovelace		

—78

And said Bill:

S. 374. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided

for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare, and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1; The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvement against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amend-

ment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article of the Constitution of Alabama." Section 1. The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

As amended by the amendment reported by the Standing Committee on Constitution and Constitutional amendments was read a third time at length and passed.

Yeas, 71; Nays, 3.

Yeas:

Messrs:

Adcock	Goodwyn	McAdory	St. John
Allen	Graves	Merrill	Sanders (Pike)
Anderson	Green	Miller (Marengo)	Sanderson
Ashcraft	Grove	Miller (Sumter)	Shepherd
Baldwin	Harwood	Molette	Shivers
Bartlett	Hawkins	Moxley	Smith
Brunson	Hightower	Mullen	Starnes
Burns	Hollis	Nipper	Stephens
Byars	Howard	Norman	Stewart (Calhoun)
Cook	Hubbard	Owens	Thompson
Darden	Hughes	Parish	Tompkins
Deloney	Jeter	Patterson	Vickers
Denson	Johnson	Pegues	Waddell
Edwards	Jones (Bullock)	Pitts	Ward (Tuscaloosa)
Fite	Jordan (Etowah)	Poole	Webb
Frey	Kirkpatrick	Ringer	Weldon
Golson	Lee	Rivers	Winn
Goode	Lovelace	Rogers (Mobile)	

—71

Nays:—Messrs. Cannon, Cocrkell, Quillin.—3.

Which was a three-fifths vote of the whole number elected to the House.

H. 1028. To prohibit whipping, flogging, beating or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

Was taken up. Mr. Goodwyn offered the following substitute for the Bill H. 1028.

Substitute for House Bill 1028—Goodwyn.

A Bill to be entitled an Act to prohibit the wearing of masks or hoods on the public streets and highways of this State and the whipping, flogging, or assault by any person or persons having their faces concealed by masks or hoods and to provide a penalty therefor.

Be it Enacted by the Legislature of Alabama as follows:

Section One. Any person who shall travel on or over any of the streets and highways of the State of Alabama with his or her face hooded or concealed by mask shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 nor more than \$500.00 for the first offense and for the second offense, or any further such offense; shall in addition to being fined be imprisoned in the county jail or sentenced to hard labor for the county for not less than 10 days nor more than (6) six months and any person or persons who, while masked or while

their faces are hidden or partially concealed for the purpose of concealing themselves of their identity shall whip, flog, beat, or in any way assault any person or persons shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than ten years, at the discretion of the Jury trying the cause. Provided that this section shall not be construed to prohibit the wearing of masks for the purpose of bona fide amusements by mardi gras or purely social organizations or in theatrical organizations.

Section Two. This Act shall go into effect immediately upon its approval by the Governor, the Public welfare demanding it.

Mr. Pegues offered the following amendment to the Substitute offered by Mr. Goodwyn:

Amend Substitute by adding:

Section 1½. No person shall be allowed to appear upon the street, sidewalks, or highways with any part of his face covered or wearing the costume of any lodge or fraternal order. Any person who violates the provisions of this section shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment of for not less than (2) two years nor more than ten (10) years.

And on motion of Mr. Goodwyn the amendment offered by Mr. Pegues was laid upon the table.

And on motion of Mr. Tompkins the substitute offered by Mr. Goodwyn was laid upon the table.

Yeas, 50; Nays, 42.

Yeas:

Messrs.:

Adcock	Cockrell	Jordan (Washington)	Powell
Allen	Denson	Kirkpatrick	Rivers
Anderson	Fite	Lee	Sanders (Pike)
Baldwin	Frey	McAdory	Smith
Bartlett	Golson	Merrill	Starnes
Beebe	Hampton	Miller (Marengo)	Stewart (Bibb)
Brunson	Hightower	Miller (Sumter)	Stewart (Calhoun)
Bryant	Hollis	Molette	Thompson
Burleson	Howard	Mullen	Tompkins
Burns	Hubbard	Nipper	Tunstall
Byars	Hughes	Owens	Webb
Cannon	Jeter	Pegues	Weldon
Christian	Jones (Clebune)		

—50

Nays:

Messrs:

Mr. Speaker	Edwards	Guy	Lovell
Ashcraft	Goode	Harwood	Martin
Carter	Goodwyn	Hawkins	Matthews
Cook	Graves	Howell	Moxley
Darden	Green	Johnson	Norman
Edmundson	Grove	Jordan (Etowah)	Parish

Pitts	Rogers (Mobile)	Shivers	Waddell
Quillin	St. John	Simpson	Wallace
Rankin	Sanders (Conecuh)	Stephens	Ward (Tuscaloosa)
Reeder	Sanderson	Vickers	Winn
Ringer	Shepherd		

—42

And the Bill:

H. 1028. To prohibit whipping, flogging, beating or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

Was read a third time at length and passed.

Yeas, 92; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Fite	Kirkpatrick	Ringer
Adcock	Frey	Lawler	Rivers
Allen	Golson	Lee	Rogers (Mobile)
Anderson	Goode	Lovelace	St. John
Ashcraft	Goodwyn	McAdory	Sanders (Conecuh)
Baldwin	Graves	Martin	Sanders (Pike)
Bartlett	Green	Matthews	Sanderson
Beebe	Grove	Merrill	Shepherd
Brunson	Guy	Miller (Marengo)	Shivers
Bryant	Hampton	Miller (Sumter)	Simpson
Burleson	Harwood	Molette	Smith
Burns	Hawkins	Moxley	Starnes
Byars	Hightower	Mullen	Stephens
Cannon	Hollis	Nipper	Stewart (Bibb)
Carter	Howard	Norman	Stewart (Calhoun)
Christian	Howell	Owens	Thompson
Cockrell	Hubbard	Parish	Tompkins
Cook	Hughes	Pegues	Tunstall
Darden	Jeter	Pitts	Vickers
Deloney	Johnson	Powell	Waddell
Denson	Jones (Cleburne)	Quillin	Wallace
Edmundson	Jordan (Etowah)	Rankin	Ward (Tuscaloosa)
Edwards	Jordan (Washington)	Reeder	Webb

—92

Nay:—Mr. Winn—1.

On motion of Mr. Tompkins the Bill H. 1028 was ordered sent forthwith to the Senate without engrossment.

BILLS INDEFINITELY POSTPONED

On motion the following House Bills were indefinitely postponed.

H. 252; H. 299; H. 737.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendments to the bill:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this state, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs and deputies bonds, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

And said bill, as thus amended by the report of the Conference Committee, was again read a third time at length and passed by the Senate.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

Was read a third time at length and lost.

Yeas, 29; Nays, 33.

Yeas:

Messrs:

Anderson
Beebe

Carter
Cockrell

Denson
Frey

Grove
Hawkins

Hightower	McAdory	Patterson	Tompkins
Howard	Merrill	Rogers (Mobile)	Waddell
Howell	Miller (Sumter)	Sanders (Conecuh)	Ward (Tuscaloosa)
Hubbard	Mullen	Smith	Webb
Jones (Cleburne)	Parish	Thompson	Weldon
Jordan (Washington)			

—29

*Nays:**Messrs:*

Adcock	Edwards	Jeter	Quillin
Ashcraft	Fite	Jordan (Etowah)	Rankin
Baldwin	Goode	Lee	Reeder
Bryant	Goodwyn	Lovelace	Ringer
Burns	Graves	Miller (Marengo)	St. John
Cannon	Green	Molette	Simpson
Darden	Guy	Owens	Stephens
Deloney	Hollis	Powell	Vickers
Edmundson			

—33

S. 299. To provide for the Election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Golson	Jeter	Powell
Adcock	Goode	Johnson	Quillin
Allen	Goodwyn	Lee	Rankin
Baldwin	Graves	Luck	Reeder
Bartlett	Green	Molette	Ringer
Beebe	Grove	Morrow	Rivers
Bryant	Guy	Moxley	St. John
Burns	Hampton	Mullen	Shivers
Byars	Harwood	Nipper	Smith
Cannon	Hawkins	Norman	Starnes
Carter	Hightower	Owens	Stephens
Cook	Hollis	Parish	Vickers
Darden	Howard	Patterson	Waddell
Deloney	Howell	Pegues	Wallace
Denson	Hubbard	Pitts	Webb
Fite	Hughes	Poole	Weldon
Frey			

—65

H. 1081. To repeal "An Act to provide a better system of road building and construction for the County of Marion," approved on August 22nd, 1919.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Merrill	Starnes
Anderson	Goodwyn	Miller (Marengo)	Stephens
Ashcraft	Graves	Miller (Sumter)	Stewart (Bibb)
Baldwin	Green	Molette	Stewart (Calhoun)
Bartlett	Grove	Parish	Thompson
Brunson	Guy	Patterson	Tompkins
Burleson	Jones (Bullock)	Pegues	Tunstall
Cannon	Jones (Cleburne)	Rogers (Mobile)	Vickers
Carter	Jordan (Etowah)	St. John	Waddell
Christian	Jordan (Washington)	Sanders (Conecuh)	Wallace
Cockrell	Kirkpatrick	Sanders (Pike)	Ward (Geneva)
Cook	Langdon	Sanderson	Ward (Tuscaloosa)
Darden	Lawler	Shepherd	Ware
Denson	Lee	Shivers	Webb
Edmundson	Lovelace	Simpson	Weldon
Edwards	Matthews	Smith	Winn
Fite			

—65

On motion of Mr. Fite, the Bill H. 1081 was ordered sent to the Senate without engrossment.

S. 362. To provide for the formation of Districts for the building and maintaining of public roads in Baldwin County, Alabama, by the County Commissioners, Board of Revenue, or Body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, lessees for a term of twenty years or longer to be considered as owners; for the giving of notice of said application and the hearing and passing on same by said Board, formation of a Commission for the Road District, consisting of the Board of County Commissioners, or like body, as ex-officio members thereof, and providing for their duties in connection with the plans specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission; for the payment by the county of the preliminary expense of organization, including advertisement, and assessors for first assessment; for the appointment of a Board of Assessors by said County Commis-

sioners to assess against the lands in said district the amount to be collected for the construction of the road or roads and other expenses not in excess of the improved value of said land by reason of special benefits derived from said improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation; To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment, That at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain on the petition, it must make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seal; that the order of the Board establishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements; for the naming of the district, and that it shall become a body politic and corporate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district; for the taking of oath of office by the Board of Commissioners for the organization of the Board, election of its officers and that they shall receive expenses while engaged on business for the district out of the county. Said amount to be paid out of the funds of the Road Improvement District. They are also authorized to engage the necessary attorneys engineers, and other agents for carrying out the improvements, contemplated, and fix their pay; that as soon as the Commissioners have formulated the plans for the road or roads of the district, and ascertained the cost thereof they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district; for time of meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal, if necessary by the Board of County Commissioners, and pay to be fixed by the same body of not exceeding \$5.00 per day; for assessment book, manner of assessing, and maxi-

mum amount, not exceeding benefits as aforesaid; for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said court; that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal; appeal by aggrieved party on filing affidavit within ten days; for the embracing of other land in the district, if benefited, and proceeding for the inclusion and assessment, which are similar to those for including land in the district as originally formed authorizing the Commissioners to make changes in plans and specifications for the route of the road or construction of laterals, or extensions within, or beyond the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a newspaper, calling on the land owners to appear and show cause if they can, why such changes should not be made, which Court can approve said report from which finding appeal can be taken as provided in Section 14; that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be taken as provided in Section 14; authorizing the commissioners, not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished; that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the district, enter upon its record and order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten percent added for unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual installments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus

compel the court to comply with this section; that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer; that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collections to be paid over by him to the treasurer of said county, or depository. Also provides for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should assessor fail to enter the assessment on tax book. Such penalty to be \$100.00 in each case; Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners which shall state amount and purpose for which it is issued, and be numbered consecutively in a book to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hands sufficient funds to pay all outstanding warrants bearing a lower number, and no contract or warrant shall be made payable in anything but money; that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution; for the levy of additional assessments when necessary the total amount not to exceed amount of special benefits before stated; for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in rem and it is immaterial if the ownership of the land is not correctly stated, but it shall have no force, except as against the land. Provides for giving of notice by

publication, form of notice and complaint; for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost; provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year; authorizing the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds; giving the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and expend therefor such sums of money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenue raised under this Act, by allowing to said district an equitable portion of the road funds available in the county. If a majority of land owners, or acreage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said purpose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the Court for a hearing of said petition and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petition shall be determined in like manner, and if the court finds that the assessment of benefits in force at the time is unequal, or that it

should be equalized or adjusted, the Court shall order a re-assessment of benefits which shall be made, advertised and confirmed in the manner specified in Section nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time, authorizing the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts as may be awarded them, with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in such contract. The amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five percent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor if to the best interest of the District, may purchase material and implements necessary to carry on the work of improvement, employ agents to do it, under the direction of the State Highway, or some other competent engineer, that the Board of Commissioners shall cause the assessments to be made, levied, and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and as assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the overdue interest and then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decrees and deeds therein shall have the same presumption in favor of their legality, and when all such sums have been paid,

the receiver shall be discharged and affairs conducted by the Board of Commissioners; that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie for one month and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be reexamined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed, and filed as a public document; that the Commissioners or assessors shall not be liable to any one for mistakes, errors, or judgment or negligence, but only for wilful misconduct in the discharge of their duties; making it a felony punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners or any other agent or employe, to corruptly use, or dispose of any bond or money derived from the sale thereof, or any fund of such district, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required; that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed in the laying out of roads hereunder; that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights of way for railways, telegraphs, and telephone companies, with the right of paying into the court a sum to be fixed by the court and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages such actions shall be consolidated, if practicable, and one jury shall assess the damages for all; that no appeal shall delay the proceedings for carrying out the improvements and it shall not affect the particular land involved, and if unsuccessful the party appealing shall pay the costs; that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special or adjourned term make any and all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or

judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law; that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any injunction otherwise issued shall be void; that the word Court as herein used unless otherwise specified in that connection, shall be taken to mean the Court of County Commissioners or Board of Revenue and Road Commissioners, or such body by whatever name called supplying the place of the court of county commissioner. The word commissioners refers to district commissioners, unless otherwise indicated; that bonds and coupons issued under and by authority of this Act shall be exempt from all State, county, or municipal taxation, or assessment, direct, or indirect, general or special, whether imposed for purposes of general revenue or otherwise, and the interest thereon shall not be subject to taxation as for income, nor shall said bonds and coupons be subject to taxation when constituting a part of the surplus of any bond, trust company, or other corporation, but when constituting a part of such surplus, shall be deducted from the total assets in order to ascertain the taxable value of such shares. No municipally to be included in district except after election favoring same.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Adcock	Christian	Frey	Guy
Allen	Cockrell	Golson	Hampton
Anderson	Deloney	Goode	Harwood
Baldwin	Denson	Goodwyn	Hawkins
Bartlett	Edmundson	Graves	Hightower
Brunson	Edwards	Green	Hollis
Burleson	Fite	Grove	Jeter

Johnson	Luck	Moxley	Sanders (Concuh)
Jones (Bullock)	McAdory	Mullen	Sanders (Pike)
Jones (Cleburne)	Martin	Patterson	Sanderson
Jordan (Etowah)	Matthews	Pegues	Shepherd
Jordan (Washington)	Merrill	Powell	Shivers
Kirkpatrick	Miller (Marengo)	Quillin	Simpson
Langdon	Miller (Sumter)	Ringer	Smith
Lawler	Molette	Rivers	Starnes
Lee	Morrow	Rogers (Mobile)	Stephens
Lovelace			

—65

H. 1066. To require the owner or operator of every cotton gin, and every person, firm, or corporation purchasing cotton in Walker County, Alabama, to keep a public record showing date cotton received, by whom bought, name of owner, the number of pounds of seed cotton, and weight and number of the bale after ginned; to provide a penalty for sellers and buyers of cotton who make false representations concerning it.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	Miller (Marengo)	Ringer
Adcock	Guy	Molette	Rivers
Allen	Hampton	Morrow	Rogers (Mobile)
Anderson	Harwood	Moxley	St. John
Ashcraft	Hawkins	Mullen	Sanders (Concuh)
Bartlett	Hightower	Nipper	Sanders (Pike)
Beebe	Hollis	Norman	Sanderson
Brunson	Howard	Owens	Shepherd
Bryant	Howell	Parish	Shivers
Burleson	Hubbard	Pegues	Simpson
Burns	Hughes	Pitts	Smith
Bvars	Jeter	Poole	Starnes
Cook	Johnson	Powell	Stephens
Fite	Lawler	Quillin	Thompson
Frey	Lee	Rankin	Tunstall
Graves	Lovelace	Reeder	Waddell
Green			

—65

On motion of Mr. Powell the Bill H. 1066 was sent forthwith to the Senate without Engrossment.

H. 1073. To fix the compensation of the members of the court of county commissioners, board of revenue or such other governing body of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Allen	Bartlett	Burns
Adcock	Baldwin	Beebe	Byars

Cannon	Grove	Matthews	St. John
Carter	Hollis	Merrill	Smith
Cook	Howard	Molette	Starnes
Darden	Hubbard	Owens	Stephens
Deloney	Hughes	Parish	Tunstall
Denson	Jeter	Pitts	Vickers
Edmundson	Johnson	Poole	Waddell
Edwards	Langdon	Powell	Wallace
Fite	Lawler	Quillin	Ward (Geneva)
Frey	Lee	Rankin	Ward (Tuscaloosa)
Golson	Lovelace	Reeder	Ware
Goode	Luck	Ringer	Webb
Goodwyn	McAdory	Rivers	Weldon
Graves	Martin	Rogers (Mobile)	Winn
Green			

—65

On motion of Mr. Weldon the Bill H. 1073 was ordered sent forthwith to the Senate without engrossment.

With Substitute:

H. 682. To permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

Was taken up. The question was upon the adoption of the Substitute reported by the Standing Committee on Municipal Organizations said Committee Substitute being as follows: Committee substitute for H. 682.

A Bill to be entitled an Act to permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

Be it Enacted by the Legislature of Alabama:

Section 1. That in cities and towns of not less than ten thousand population and not more than fifteen thousand population according to the 1920 Federal Census, when a petition is signed by a number of qualified electors equal to three for each one hundred inhabitants in any city according to the last Federal Census shall be presented to the Probate Judge of the county in which such city is situated asking that an election be held in such city for the purpose of submitting to a vote of the qualified electors thereof the question of adopting the city manager form of government, the Probate Judge shall examine the same and if he shall determine that it is signed by the requisite number qualified electors, he shall within ten days certify this fact to the Mayor of said city or the president of the Board of Commissioners, as the case may be. The certificate of the Probate Judge as to the sufficiency of the petition shall be conclusive:

Section 2. The Mayor or President of the Board of Commissioners, upon the receipt of such certificate from the Probate Judge, shall by proclamation submit the question of organizing

the city under the city manager plan of city government, as herein provided, at a special election to be held at a time specified therein, within forty days from the receipt of such certificate, and notice of such election shall be given by publication for two successive weeks in a newspaper in such city;

Section 3. At such election the ballot shall have printed thereon; "Shall the city of (name of city) adopt the city manager form of city government?"

Yes....."

No....."

The voter shall make a cross mark before or after the word which expresses his choice. Said election shall be conducted, the vote canvassed and the result declared in the same manner as is provided by law for other municipal elections. If the majority of the votes are in favor of the city manager form of government, the result shall be entered upon the minutes of the city, and a certificate of the result shall be filed with the Probate Judge of the county.

Section 4. The existing municipal officers of such city shall continue to hold office and perform their duties under the existing law until their terms expire succeeding the adoption of the city manager plan of municipal government herein provided, and on the third Monday in September next after the expiration of the terms of office of existing municipal officers after the adoption of said form of government the qualified electors shall elect a Mayor and five aldermen from the city at large. The Mayor shall hold office for four years, and two aldermen shall hold office for four years, and these two shall be selected by lot at the first meeting of the Council after their election and their names recorded on the minutes as the two who shall serve for four years, and the other three Aldermen shall hold office for two years, and thereafter the Mayor and Aldermen shall be elected for a term of four years and they shall take office on the first Monday in October after their election.

Section 5. The Mayor and Aldermen shall serve without compensation and shall constitute the governing body of the city, and shall hold meetings which shall always be open to the public twice each month, and special meetings at the call of the Mayor or two of the Aldermen, and four of their number shall constitute a quorum. The Mayor shall preside at all meetings of the Board, but shall not vote except in case of a tie, and he shall perform such other duties as the Board may require, and may act as city Recorder for the trial of violations of the city ordinances, and if required to so act shall receive such compensation for this service as the Board may provide.

Section 6. The Board of Mayor and Aldermen of the city shall have all the rights and perform all the duties provided by

the laws of this State for the regulation and control of municipal corporations in this State and in accordance therewith, except as herein otherwise directed. It shall adopt all ordinances and resolutions necessary for the government of the city, and all existing ordinances shall remain in effect until changed or repealed. The Board shall elect a city clerk and city treasurer and shall fix their salaries and term of office. They shall, as soon as practicable, elect a city manager who need not be a resident of the city, who, under the Board, shall have control of municipal affairs of the city, shall employ and discharge at his pleasure all employees of the city other than the city clerk, city attorney and city treasurer and city recorder, fix their salaries and see that they faithfully discharge their duties, and devote all his time to the service of the city, and he shall receive such salary as the Board may prescribe, and by two-thirds vote of the Board of Mayor and Aldermen may be discharged at any time.

The city manager shall file a report monthly with the city clerk showing the expenditures authorized by him, and shall make and present to the Board on the first regular meeting in October of each year a budget of receipts and expenditures for the succeeding year, for their consideration. The Board shall adopt a budget which shall be within the estimated receipts, and the city manager shall see that the expenditures are kept within the sum allowed thereby. The city manager shall not receive any money due the city, but shall approve all bills and vouchers which shall be presented and allowed by the Board and thereafter paid as they may provide.

Section 7. Any qualified elector may become a candidate for Mayor or Alderman of said city by filing a declaration of his candidacy with the city clerk thirty days before any election, and when a petition signed by at least one person for each hundred inhabitants of the city requesting the name of any qualified elector be placed on the ballot in the election for Mayor or Alderman of the city, such name or names and those declaring their candidacy shall be printed on the official ballot to be used at any election. Every person elected shall, before taking office, take an oath to faithfully perform the duties of this office to the best of his ability, which may be administered by the retiring Mayor or any one authorized to administer oaths.

This Act shall take effect immediately upon its passage and approval by the Governor.

Mr. Jordan of Etowah, offered the following amendment to the Substitute reported by the Stanidng Committee on Municipal organizations:

Amend Substitute to H. B. 682 by substituting for the words "ten thousand" wherever they appear with the words "ten thousand and fifty".

And the amendment offered by Mr. Jordan of Etowah to the Substitute was adopted.

And the Substitute reported by the Standing Committee on Municipal Organizations as amended by the amendment offered by Mr. Jordan of Etowah, was adopted,

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	McAdory	Rankin
Adcock	Graves	Martin	Reeder
Allen	Green	Matthews	Ringer
Bryant	Grove	Merrill	Rivers
Burleson	Hollis	Molette	Sanderson
Burns	Howard	Morrow	Shepherd
Byars	Howell	Moxley	Shivers
Cannon	Hubbard	Mullen	Simpson
Carter	Hughes	Nipper	Smith
Cook	Jeter	Norman	Starnes
Darden	Johnson	Owens	Stephens
Deloney	Jordan (Etowah)	Parish	Thompson
Denson	Lawler	Pitts	Ware
Fite	Lee	Poole	Webb
Frey	Lovelace	Powell	Weldon
Golson	Luck	Quillin	Winn
Goode			

—65

And said Bill:

H. 682. To permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

As amended by the substitute as amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Lovelace	Poole
Adcock	Goodwyn	Luck	Reeder
Allen	Graves	McAdory	Ringer
Beebe	Green	Martin	Rivers
Brunson	Grove	Matthews	Shivers.
Bryant	Guy	Merrill	Simpson
Burns	Hampton	Miller (Sumter)	Smith
Byars	Hollis	Molette	Starnes
Cannon	Howard	Morrow	Stephens
Carter	Howell	Moxley	Vickers
Cook	Jeter	Mullen	Waddell
Darden	Johnson	Nipper	Wallace
Deloney	Jordan (Etowah)	Norman	Ware
Denson	Jordan (Washington)	Owens	Webb
Fite	Lawler	Parish	Weldon
Frey	Lee	Pitts	Winn
Golson			

—65

On motion of Mr. Jordan of Etowah the Bill H. 682 was ordered sent forthwith to the Senate without Engrossment.

H. 1049. To fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States census, or any census which may hereafter be taken.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Martin	Rivers
Adcock	Graves	Matthews	Sanderson
Allen	Green	Merrill	Shepherd
Beebe	Grove	Molette	Shivers
Brunson	Hollis	Morrow	Simpson
Bryant	Howard	Moxley	Smith
Burns	Howell	Mullen	Starnes
Byars	Hubbard	Nipper	Stephens
Carter	Hughes	Norman	Tunstall
Cook	Jeter	Owens	Vickers
Darden	Johnson	Parish	Waddell
Deloney	Lawler	Pitts	Wallace
Denson	Lee	Poole	Ware
Fite	Lovelace	Powell	Webb
Frey	Luck	Reeder	Weldon
Golson	McAdory	Ringer	Winn
Goode			

—65

On motion of Mr. Sanderson the Bill H. 1049 was ordered sent forthwith to the Senate without Engrossment.

H. 1055. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Hollis	Morrow
Adcock	Deloney	Howard	Moxley
Allen	Denson	Howell	Mullen
Anderson	Fite	Jeter	Norman
Beebe	Frey	Johnson	Owens
Brunson	Golson	Langdon	Parish
Bryant	Goode	Lawler	Pitts
Burleson	Goodwyn	Lee	Poole
Burns	Graves	Luck	Reeder
Byars	Green	McAdory	Ringer
Cannon	Grove	Martin	Rivers
Carter	Guy	Matthews	St. John
Cook	Hampton	Merrill	Sanders (Conecuh)

Shivers	Stephens	Waddell	Webb
Simpson	Tunstall	Wallace	Weldon
Smith	Vickers	Ware	Winn
Starnes			

—65

On motion of Mr. Mullen the Bill H. 1055 was ordered sent to the Senate without engrossment.

S. 499. For the relief of county treasurers of counties, which counties constitute a judicial circuit, having five or more circuit judges; who have erroneously paid monies to assistant solicitors under the Act approved August 22, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Luck	St. John
Adcock	Golson	McAdory	Sanderson
Allen	Goode	Martin	Shepherd
Beebe	Goodwyn	Matthews	Shivers
Brunson	Graves	Merrill	Simpson
Bryant	Green	Morrow	Smith
Burns	Grove	Moxley	Starnes
Byars	Hawkins	Norman	Stephens
Cannon	Hightower	Owens	Tunstall
Carter	Hollis	Parish	Vickers
Cook	Howard	Pitts	Waddell
Darden	Howell	Poole	Wallace
Deloney	Jeter	Reeder	Ware
Denson	Johnson	Ringer	Webb
Edmundson	Lee	Rivers	Weldon
Edwards	Lovelace	Rogers (Mobile)	Winn
Fite			

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without Engrossment.

By Mr. Ellis of Shelby:

S. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination.

By Mr. Caffey (With N. & P.):

S. 556. To amend Section Nine of an act entitled "An Act to establish a Board of Revenue for Lowndes County, and to de-

fine the powers and duties of said Board of Revenue" approved March 7th, 1876.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a Bill will be introduced at the present term of the legislature of Alabama, to amend Section Nine (9) of an act to establish a Board of Revenue of Lowndes County, Alabama, and to define the powers and duties of said Board of Revenue, approved March 7, 1876, as follows:

Section 9: Be it Further Enacted, that the Chairman and other members of said Board shall be allowed Five Dollars "per diem" while in session and mileage at the rate of five cents per mile to and from the place of meeting, the whole compensation of any one of said members shall not exceed Four Hundred Dollars per annum.

Board of Revenue of Lowndes Co.,
By R. J. Stagers, Chairman.

STATE OF ALABAMA,
Lowndes County.

Before me, O. P. Edwards, a Notary Public in and for said County in said State, personally appeared J. D. Lamar, who being by me first duly sworn, doth depose and say that he is the editor and publisher of the Lowndes Signal a newspaper published in Lowndes County Alabama, and that the foregoing and attached notice appeared and was published in his paper, viz: Lowndes Signal, for Four Consecutive weeks, beginning on the 7th day of July, and thereafter on the 14th, 21st and 28th day of July 1927, and that said paper is a paper of general circulation in said County.

J. D. Lamar,

Subscribed and sworn to before me on this the 9th day of August, A. D. 1927.

(Seal)

O. P. Edwards,
Notary Public.

Also:

By Mr. Loflin (With N. & P.):

S. 59. To regulate the registering and the payment of claims against the fine and forfeiture fund of Coffee County.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present Legislature of Alabama for the passage of a local act for Coffee County, Alabama, and which said act is set forth in the following bill, which it is proposed to have introduced in the Legislature, as aforesaid, to-wit: A bill to be entitled an act to regulate the payment of registered claims against the Fine and Forfeiture fund of Coffee County.

Section 1. Be it enacted by the Legislature of Alabama, That after the passage of this act all claims against the Fine and Forfeiture Fund of Coffee County, and which have heretofore been registered by the treasurer of the County or which may hereafter be registered as required by law, shall

be paid in the order of their registration, whether they were registered before or after the 11th day of March 1911, same being the date of approval of a certain local act pertaining to Coffee County.

Section 2. That all laws and parts of laws in conflict with this act be, and the same are, hereby repealed.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,

Coffee County.

Before me, W. T. Livings, Register in Equity in and for said State and County personally appeared R. C. Bryan who being duly sworn says on oath that he is the Editor and Publisher of The Elba Clipper, a newspaper published at Elba, Coffee County, Alabama, and that the hereto attached notice was published in said newspaper once a week for 4 consecutive weeks, the first insertion being in issue dated Jan. 20th 1927, and the last issue dated Feb. 10th, 1927.

R. C. Bryan,

Sworn to and subscribed before me this 21st, day of July, 1927.

W. T. Livings,

Register in Equity.

In and for said State and County.

Also:

By Mr. Fite:

S. 502. To fix and regulate the compensation of the Deputy Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent federal census, and to provide for the payment of such compensation.

Also:

By Mr. Walker:

S. 567. To amend Section 2336 of the Code of Alabama, 1923.

Also:

By Mr. Carlton:

S. 536. To amend Section 989 of the Code of Alabama of 1923.

Also:

By Mr. Carlton:

S. 535. To place the custody, management and administration of the salt springs and lands granted to the State under the second clause of the sixth section of the Act of Congress of March 2, 1819, under the State Commission of Forestry for State forest purposes.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one

time and referred to Appropriate Standing Committees as follows:

Judiciary, S. 506.

Local Legislation: S. 556; S. 559; S. 502.

Municipal Organization: S. 567.

Forestry and Conservation: S. 536; S. 535.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without Engrossment.

By Mr. Williams:

S. 228. To amend Section 5514 of the Code of Alabama, 1923.

By Mr. Williams:

S. 201. To amend Section 8025 of the Code of Alabama, 1923.

By Mr. Williams:

S. 241. To amend Section 1354 of the Code of Alabama, 1923.

By Mr. Edgar:

S. 482. To amend Section 751 of the Code of Alabama, 1923.

By Mr. Edgar:

S. 457. To amend Section 5271 of the Code of Alabama, 1923.

By Mr. Fite:

S. 514. To provide for the training of mentally retarded children of school age in towns of 6,000 or more population according to the last or any subsequent Federal census.

By Mr. Edgar:

S. 461. To amend Section 5322 of the Code of Alabama, 1923.

By Mr. Edgar:

S. 480. To amend Section 1321 of the Code of Alabama, 1923.

By Mr. Holmes:

S. 446. To protect certain species of fish; to prohibit same from being caught or taken during the spawning season and providing penalty for violation of same.

By Mr. Williams:

S. 532. To amend Section 5460 of the Code of Alabama, 1923.

By Mr. Stanley (with notice and proof):

S. 505. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such

persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, during the 1927 Session thereof, which bill is in substance as follows:

AN ACT

Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

Section 1. Be it enacted by the Legislature of Alabama, that the Clerk of the Circuit Court of said County of Conecuh is hereby empowered to take affidavits for the arrest of persons charged with the commission of crime in said County, either misdemeanor or felony, and to issue warrant for the arrest of such persons such warrants to be returned before the Judge of County Court of said County.

Section 2. Be it further enacted that when a forfeiture is obtained against the Defendant and his bail in said County Court, it shall be the duty of said Clerk of the Circuit Court to issue process upon the same.

Section 3. Be it further enacted that when the Judge of the said County Court orders attachment issued against witnesses in said County Court, it shall be the duty of the said Clerk of the Circuit Court to issue the attachment.

Section 4. Be it further enacted that the said Clerk of the Circuit Court of Conecuh County, Alabama, shall receive as compensation for his services in taking the affidavit of Complaint and issuing warrant of arrest as herein provided the sum of One Dollars (\$1.00); and said Clerk of the Circuit Court shall receive as compensation for his services to issuing all other writs and process herein provided the same compensation as he now receives in the Circuit Court.

Section 5. Be it further enacted that all laws and parts of laws in conflict with the provision of this act be and the same are hereby repealed.

Section 6. Be it further enacted that this Act shall go into effect immediately upon its passage and approval by the Governor.

THE STATE OF ALABAMA,
Conecuh County.

Before me, S. P. Dunn, Judge of Probate in and for said county, personally appeared R. Gaston Bozeman, who being by me first duly sworn deposes and says that he is now and has been for more than twelve months past, publisher of the Evergreen Courant, a newspaper published in Conecuh County, Alabama, and that the notice attached to this affidavit was

published in said newspaper in its issues of June 30th, July 7th, July 14th, July 21, 1927.

Sworn to and subscribed before me this July 29th, 1927.

(Seal)

R. Gaston Bozeman,

S. P. Dunn,
Judge of Probate.

By Mr. Mitchell (By request) :

S. 547. To provide for the bringing of a second suit where the office of the justice of the peace before whom the original suit was brought, is vacant.

By Mr. Stanley :

S. 519. To make appropriation for the erection on the battlefield at Gettysburg for a monument in perpetuation of the soldiers from Alabama.

By Mr. Young :

S. 551. To amend Section 8352 of the Code of Alabama, 1923.

By Mr. Young :

S. 550. To amend Section 7209 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows :

Judiciary : S. 228 ; S. 201 ; S. 482 ; S. 457 ; S. 461 ; S. 532 ; S. 550.

Public Roads and Highways : S. 241 ; S. 480.

Education : S. 514.

Game, Fish and Fisheries : S. 446.

Local Legislation : S. 505.

Revision of Laws : S. 547 ; S. 551.

Appropriations : S. 519.

MESSAGE FROM THE SENATE

Mr. Speaker :

The Senate has originated and passed the following bill and ordered same sent forthwith to the House without Engrossment :
By Mr. Ellis of Shelby :

S. 508. To prohibit and make unlawful any person, firm or corporation engaged in the sale of gasoline or any other motor fuel, or any substitute therefor in intra-state commerce discriminating except as to the Federal and State Government, or any

County or Municipality of the State of Alabama, in favor of or against any other person, firm or corporation by giving or granting any rebate, concession, special price or gratuity to any customer or purchaser of gasoline, or any other motor fuel, or any substitute therefor, and to prohibit and make unlawful any person, firm or corporation engaged in the sale of gasoline, or any other motor fuel, or other substitute therefor, in intra-state commerce discriminating against or in favor of any customer or purchasers of gasoline or any other motor fuel, or other substitute therefor by selling same at different prices in different localities, except difference in price based on freight rates in different localities, and to provide for the enforcement of this Act and penalties for the violation thereof.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bill the title to which is set out in the above and foregoing Message from the Senate was read one time and referred to an appropriate Standing Committee as follows:

Public Roads and Highways: S. 508.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following S. J. R., your signature thereto is requested:

S. J. R. 90. Relative to the death of Hon. Braxton Bragg Comer, former Governor of Alabama.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 824. To require County Board of Education of Coosa County, Alabama, to publish certified copies of the minutes of its proceedings of each regular, special, called and adjourned terms in some newspaper published in Coosa County, Alabama, and if no newspaper is published in the County then to require certified copies of the minutes of such terms to be posted at the court house and at the postoffices of the county; to provide for a certified copy of the minutes to be delivered to the publisher of some newspaper, and to provide for payment of publication of the minutes and for making the certified copy of the same; and to provide a penalty for failing to comply with the provisions of this act.

H. 803. To require the commissioners' court of Coosa County, Alabama, to publish in some newspaper published in said county for one week, a certified copy of the minutes of each regular, special, called, adjourned or revenue terms of said court, and if no newspaper is published in the county then to post certified copies of the minutes of said terms at the court house, and at the postoffices at Goodwater, Kellyton, Nixburg, Equality, Weogufka, and Marblevalley, in said county, to require the chairman or presiding officer by whatever name known or called of the commissioners' court of said county to make out said certified copy and deliver the same to the editor or publisher of some newspaper in said county, and to post certified copies of minutes at points in said county designated in this act, should there be no newspaper published in said county, or should newspapers fail or refuse to publish the same, and to provide compensation for publishing certified copies of said minutes and for making the same by the chairman of the commissioners' court, and to provide a penalty for failing to comply with the provisions of this act.

H. 533. To amend Section 29 of an Act approved August 15th, 1923, and entitled "An Act to amend an Act approved September 25th, 1915, entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act'; and to provide for the going into effect of various sections of said Act as amended."

H. 773. A Bill to be entitled an Act to propose and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the Legislature to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the state of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts; and providing that the powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General

State election of November 1924; and providing that any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

"The Legislature is authorized to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the State of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting

upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts. The powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924.

Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment."

Section 2. That notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor of Alabama, which shall be published in one newspaper once a week in each County in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

H. 896. To authorize and require the treasurer of Crenshaw County, Alabama, or the custodian of funds of said County annually after having first paid interest due on the bonded indebtedness of the County out of the road and bridge fund as derived from the ad valorem taxes, to set aside the remainder of said road and bridge fund for the purpose of paying old road and bridge warrants of the County, and to prescribe the order in which such warrants are to be paid.

H. 931. To authorize the Board of Commissioners of the City of Montgomery, Alabama, to vacate and abandon that portion of State Street in the City of Montgomery, Alabama, which has never been opened or used as a street by the public.

H. 778. To authorize and empower the Town Council of the Town of Brantley, Alabama, to widen, extend or elongate, vacate, annul, shorten, narrow or alter in any proper manner any street, avenue, alley or other public place in said Town and County and convey such portion of any street, avenue, alley or other public place so vacated, annulled, shortened or narrowed, to the adjacent landowners, to the best interest of the citizens of said town and to give authority to either purchase or condemn space

required to widen, elongate or extend any street, alley, avenue or other public place, under this Act.

H. 750. To provide for the election of a recorder in the Town of Heflin Cleburne County, Alabama, to define the powers of such recorder and to prescribe his duties and jurisdiction.

H. 857. To form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under the constitution and laws of the State of Alabama, or that may be hereafter authorized under any amendment thereof, other than the amendment submitted by this Legislature validating this act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate of annual levies shall be one per centum on the value of the taxable property in such districts for a period of twenty (20) years from the date of the vote thereon; for the advancement of said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition to that now allowed to be incurred by such County under the Constitution of Alabama or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act.

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

H. 916. To repeal an act entitled an act to better improve the public roads of Washington County, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road

supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington County, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

H. 804. To alter and rearrange the boundaries of the town of Brantley in Crenshaw County, Alabama.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills, and returns same herewith to the House:

H. 863. To provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama; to provide for the appointment of Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

Also:

H. 873. To authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

Also:

H. 756. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native or wild in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to wilfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub or plant is situated.

Also:

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and Clerk thereof, and to provide for their compensation.

Also:

H. 798. To enlarge the duties now imposed by law on the Board of County Commissioners or County Board of Revenue of Crenshaw County, to authorize such board as now constituted or as hereafter may be constituted to become the sole purchasing agent for the County of Crenshaw of all road machinery, tools, implements, books, blanks, office furniture, fixtures, stationery or any and all articles and things which may be required by law to be purchased for or by the county, and to provide the manner and procedure of such purchases and to fix a penalty for failure to comply with this act.

Also:

H. 457. To provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified electors thereof and to prescribe the duties and fix the term and compensation of such officers.

Also:

H. 633. To provide for the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of a Court House for Morgan County, Alabama, in Decatur, Alabama, and to establish for the consummation of such purpose a Court House Commission; and to authorize and empower said Commission to erect, build, repair, remodel, or reconstruct, and equip and outfit a Court House for said County; to make temporary loans in anticipation of the collection of taxes; to invest the Commission with power and authority now held by the Board of Revenue of Morgan County, Alabama, for the purpose of erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House; to create and designate the funds from which the cost of said erection, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House shall be paid; and to prescribe the powers and duties of said Commission, and the powers and duties of the Board of Revenue of Morgan County, and the County Depository incident to the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of said Court House:

Also:

H. 958: For the relief of P. B. Hughes, former sheriff of Tuscaloosa County, Alabama, to authorize, empower and direct the Board of Revenue of Tuscaloosa County, Alabama, to pay to the said P. B. Hughes, out of any funds belonging to Tuscaloosa County and not already otherwise appropriated, the sum of \$1510.20, paid by said Board of Revenue, to the said P. B. Hughes, as sheriff of Tuscaloosa County, while acting as such sheriff consisting of the following sums of money, on the following accounts: \$55.80 for postage stamps, \$15.40 as mileage in cases which were not pressed, \$102.00 as fees for guarding prisoners, \$162.00 as fees for bailiffs in the County Court of Tuscaloosa County, and \$1175.00 as expense of maintaining automobiles for the use of the sheriff and his deputies, amounting in the aggregate to \$1510.20, and which the said P. B. Hughes, has, by the Chief Examiner of Accounts, been required to refund, and which he did refund to Tuscaloosa County on October 29, 1925.

Also:

H. 1015. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama, and to provide that the members of the County Commissioner's Court shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such, to define their duties and fix their compensation as such supervisors.

Also:

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

Also:

H. 912. To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

Also:

By Mr. Hawkins:

H. 660. To propose an Amendment to the Constitution of Alabama authorizing the City of Birmingham to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one percentum, which a majority of the qualified electors of said City voting at an election called for that purpose may authorize:

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amend-

ment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature to-wit: November , 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the City of Birmingham is authorized to levy and collect under the Constitution as heretofore amended, said city shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one per centum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years)for the purpose or purposes of....." and "Against authorization of additional taxation at rate not to exceed.....per cent for the year (or years) for the purpose or purposes of....." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holders of bonds of said municipal corporation heretofore issued. Elections in said municipality to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipality for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter.

This section shall be self-operative without any additional legislation."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

"Yes....."
 No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

J. H. Stewart,
 Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 11:15 A. M. on Aug. 16, 1927.

H. 282.

H. 606.

H. 760.

H. 847.

H. 817.

H. 844.

H. 779.

H. 391.

H. 577.

H. 634.

H. 355.

H. 605.

H. 828.

H. 647.

H. 887.

H. 341.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Deloney the House in accordance with a Senate Joint Resolution heretofore adopted, adjourned until Thursday August 18th, 1927 at 9:30 o'clock A. M.

FORTY-FIFTH DAY

House of Representatives
Montgomery, Alabama,
Thursday, August 18, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:

Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Green	Matthews	Sanders (Conecuh)
Ashcraft	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace		

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 44th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 44th legislative day was approved.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Simpson:

H. 264. Relative to making S. 415 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. 265. Relative to making S. 326 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Burns:

H. 266. Relative to making S. 274 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 267. Making H. 898, 809, 471, 805, 34, 770, 862, 474, 428, 427, 777, 919, and 152 Special Orders.

And the Rules were suspended and the Resolution was adopted.

By Mr. Martin:

H. R. 268. The House of Representatives learns with deep sorrow of the death of Hon. George J. Sullivan of Mobile, a former member of this House, and it is

Resolved that the House of Representatives recognizing the sterling qualities of Mr. Sullivan and his intense devotion to all matters furthering the best interest of the State exemplified by his every act, hereby expresses its conviction that the State of Alabama, and the city of Mobile has suffered an irreparable loss in the death of George J. Sullivan and expresses to his family its sympathy in their hour of sorrow.

Be it further resolved that a copy of this Resolution be spread upon the Journal of the House, and that the Clerk be instructed to forward a copy to his family.

And the Rules were suspended and the Resolution was adopted.

By Mr. Moxley:

H. R. 269. Relative to making House Bills 591, 590 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Beebe:

H. R. 270. Relative to making S. 348 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Miller of Sumter:

H. R. 271. Relative to making H. 1124 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Rules Committee:

H. R. 272. Relative to making House Bills 666, 943, 1003, 404, 683, 825, 871, 463, 676, 622, 801, 396, 397, 800, 843,

1050, 1051, 997, 322, 771, 1035, 823, 770, 968, 906, 64, 1014, 640, 591, 210, 758, 444, 1038, 998, and 512 Special Orders.

And the Rules were suspended and the Resolution was adopted.

By Mr. Harwood:

H. R. 273. Relative to making S. 265 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ward of Tuscaloosa:

H. R. 274. Relative to making H. 1122 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Sanderson:

H. R. 275. Relative to making H. 1153 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Matthews:

H. R. 276. Relative to making H. 928, H. 929 and 930 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 277. Relative to making S. 35 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. J. R. 278. Resolved by the House, the Senate concurring, that the Capitol Building Commission be and it is hereby requested to place an elevator in the State Capitol with some properly constructed connection at ground level with Bainbridge Street, whenever in the opinion of the Governor, the condition of the Treasury will permit.

And the Rules were suspended and the Resolution was adopted.

By Mr. Winn:

H. R. 279. Relative to making S. 393 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Edmundson:

H. R. 280. Whereas, The United States of America is in grave danger of an attack by the Pope of Rome;

Whereas, except for the valor, bravery and foresight of that great and eminent leader and Statesman, the Hon. J. Thomas Heflin, Senior United States Senator from Alabama, this country would be defenseless against such an attack;

Whereas, the Hon. J. Thomas Heflin should be placed in a position where he can defend this country in person against the impending attack of the Pope;

Now, Therefore, be it resolved by the House of Representatives that the President of the United States be requested to appoint the Hon. J. Thomas Heflin an Admiral in the Navy, and to place him in Command of the Battleship West Virginia, the pride of the Navy, with orders to anchor at New York Harbor;

Resolved further, that the new Admiral be instructed upon the appearance of the Pope on the water, in the air, under the sea or in fancy, within twelve miles of the Statue of Liberty, to fire unceasingly for a period of twelve hours with sixteen inch shells loaded with the most deadly verbosity at the command of the new Admiral;

Resolved further, that a copy of this Resolution be forwarded to the President of the United States, the President of the Senate of the United States, the Secretary of the Navy and to our most valiant and courageous protector and statesman, the Hon. J. Thomas Heflin.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. R. 281. Relative to making S. 453 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Webb:

H. R. 282. Resolved by the House of Representatives that the Resolution introduced by the Gentleman from Jefferson, Mr. Edmundson, relative to Alabama's distinguished son, Hon. J. Thomas Heflin, be referred to Al Smith's Campaign Committee, where it will no doubt receive enthusiastic consideration, and

Resolved further that a copy of this Resolution be sent to Victor H. Hanson.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Denson:

H. R. 283. Relative to making H. 322 Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Sanderson:

H. R. 284. Relative to making S. 492 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Grove:

H. R. 285. Relative to making H. 1040 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Guy:

H. R. 286. Relative to making House bills 1113 and 1115 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to an appropriate Standing Committee as follows:

By Mr. Cockrell (With Notice and Proof):

H. 1157. To establish an inferior court to be known as the Inferior Court of Ashland, Alabama, in lieu of all Justices of the Peace and Notaries Public with powers of Justice of the Peace in Ashland Precinct No. 6, which lies within Ashland the county seat of Clay County, Alabama. Said county seat having a population of 1500 or more according to the last Federal census, to define the Jurisdiction and powers of said Court and the Judges and officers thereof to provide for a place of holding said court for the terms, salaries, compensation and fees of Judge and officers of said court and the manner of their appointment or election and the payment of their salaries or fees, and to define the Jurisdiction and powers of said Court and the Judge thereof.
Local Legislation.

Notice and Proof H. B. 1157.

PUBLIC NOTICE

Notice is hereby given that an application will be made to the present Legislature of Alabama to enact a law establishing an inferior court in Beat No. 6, Ashland, Clay County, Alabama. The bill sought to be introduced and enacted will be in substance as follows:

A BILL

To be entitled An Act to establish an inferior court to be known as the Inferior Court of Ashland, Alabama, in lieu of all Justices of the Peace and Notaries Public with powers of Justice of the Peace in Ashland Precinct No. 6, which lies within Ashland the county seat of Clay county, Alabama. Said county seat having a population of 1,500 or more according to the last Federal census, to define the jurisdiction and powers of said court and the judges and officers thereof to provide for a place of holding said court for the terms, salaries, compensation and fes of judge and officers of said court and the manner of their appointment or election and the payment of their salaries or fees, and to define the jurisdiction and powers of said Court and the judge thereof.

July 19, 1927.

The State of Alabama,
Clay County.

Before me, J. M. Hamlin, Justice of Peace of said County, personally appeared B. W. Sims, who being first duly sworn, deposes and says that he is

the publisher of the Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the notice that application will be made to the present Legislature to enact a law establishing an Inferior Court in Beat No. 6, Ashland, Clay County, Ala., a copy of which is attached hereto, was published in said newspaper for four consecutive weeks, commencing in the issue of July 21, 1927, and ending in the issue of August 11th, 1927.

B. W. Sims,
Publisher.

Sworn to and subscribed before me, this 13 day of August, 1927.

(Seal)

J. M. Hamlin,
Justice of the Peace.

By Mr. Golson (With Notice and Proof) :

H. 1158. To fix the salary of the Deputy Solicitor for Lowndes County Alabama.

Notice and Proof H. B. 1158.

NOTICE OF LOCAL LAW.

Notice is hereby given that application will be made to the present Legislature of Alabama, to increase the salary of the county solicitor of Lowndes County from the present minimum salary of fifty dollars per month to the sum of \$100 or a sum not less than one-half of the fees earned by the solicitor.

Jos. R. Bell,
County Solicitor Lowndes County, Alabama.

The State of Alabama, }
County of Lowndes. }

Before me O. P. Edwards, a Notary Public, in and for said county and State, personally appeared Hon. J. D. Lamar who is known to me and who being by me first duly sworn doth depose and say, that he is the editor and publisher of the "Lowndes Signal" a newspaper published in Lowndes County, Alabama; that the above attached notice was published in said paper, that said notice appeared in said paper in four consecutive issues, viz: February 10th, 17th, 24th and March 3rd, 1927; that said Lowndes Signal is a newspaper of general circulation in said Lowndes County, Alabama.

J. D. Lamar.

Subscribed and sworn to before me on this the 16th day of August, 1927.

O. P. Edwards,, Notary Public,
Lowndes County, Alabama.

By Mr. Harwood :

H. 1159. To permit the Board of revenue, or like body, in counties having a population of not less than fifty two thousand and not more than fifty four thousand to give to the Chamber of Commerce, or like body, in any city or town in said county, any sum of money, up to three hundred dollars per month, to be paid monthly.

Local Legislation.

By Mr. Ward of Tuscaloosa :

H. 1160. To authorize and empower the Board of Revenue of the County of Tuscaloosa to pay out of the General Treasury of

said County the salaries of two deputies of the Sheriff of Tuscaloosa County, Alabama, said salaries not to exceed the sum of One Hundred Twenty-five and no-100 (\$125.00) Dollars per month to each of said deputies.

Local Legislation.

Notice and Proof H. B. 1160.

NOTICE OF LOCAL BILL.

Notice is hereby given that application will be made to the Legislature of Alabama at its present session of 1927, for the enactment of a local law for Tuscaloosa County, Alabama, in substance as follows:

Section 1. Be it enacted by the Legislature of Alabama tha the Board of Revenue of Tuscaloosa County(Alabama, be, and hereby is, authorized and empowered to pay out of the General Treasury of the County of Tuscaloosa the salaries of two deputies employed by the sheriff of Tuscaloosa County, not exceeding the sum of one hundred twenty-five and no hundredths (\$125.00) dollars per month to each of said deputies.

Section 2. All laws and parts of laws in conflict with the provisions of this Act be, and hereby are, repealed.

State of Alabama, }
Tuscaloosa County. }

Before me, Richard C. Foster, a Notary Public in and for said County in said State, personally appeared Aaron Miller, who is know nto me, and who being by me first duly sworn, deposes and says that he is the editor and published of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice, as contained in the excerpt from said newspaper pasted to this page, of intention to apply to the Legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks.

Aaron Miller.

Sworn to and subscribed before me this the 17th day of August, 1927.

Ricahrd C. Foster,

Notary Public.

By Mr. Powell (With Notice and Proof) :

H. B. 1161. To provide for the election of county superintendent of education for Walker County, to fix his term of office, to prescribe his salary and the manner of payment; to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Local Legislation.

Notice and Proof H. B. 1161.

NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama, a law will be introduced substantially as follows:

A Bill entitled an Act to provide for the election of a County Superintendent of Education for Walker County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his appointment under this Act and to provide for the election of his successor in office.

May 31, 1927.

Watkins A. George,
Oakman, Ala.

THE STATE OF ALABAMA,

Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared Irving A. Dove, publisher of the Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who being duly sworn, says that the Legal Notice, copy of which is hereto attached, was published in the said Jasper Advertiser once a week for four consecutive weeks namely:

June 1, June 8, June 15 and June 22, 1927.

Irving A. Dove,
Publisher.

Sworn and subscribed to before me this 13th day of August, 1927.

Arthur Sartain,
Notary Public.

By Mr. Pegues (With notice and proof) :

H. 1162. To provide for a special election to be held in Jackson County on the first Tuesday in January, 1928, to determine whether the County Superintendent of Education shall be elected by ballot or continue to be appointed by the county board of education; to fix his term of office and salary; and to prescribe his qualifications.

Local Legislation.

Notice and Proof H. B. 1162.

State of Alabama, }
Jackson County. }

Before me, a Notary Public in and for said State and County, personally appeared J. S. Benson, Editor of The Progressive Age, a newspaper published weekly at Scottsboro in said State and County, who being duly sworn deposes and says that the notice of Proposed Legislation, relative to the election of a County Superintendent of Education for Jackson County, a copy of same is hereby attached, was published for four consecutive weeks in said paper, July 28, August 4, 11, 18, 1927.

J. S. Benson.

Sworn to and subscribed before me this the 18th day of August, 1927.

P. W. Campbell,
Notary Public.

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that an effort will be made to pass the following bill at the summer session of the present Legislature:

A Bill to be entitled an Act to provide for a Special Election to be held in Jackson County, on the first Tuesday in January, 1928, to determine whether the County Superintendent of Education shall be elected by ballot or continue to be appointed by the County Board of Education; to fix his term of office and salary; and to prescribe his qualifications.

Be it enacted by the Legislature of Alabama:

Section 1. There shall be held on the first Tuesday in January, 1928, a Special Election in Jackson County to determine whether the County Superintendent of Education shall be elected by ballot in the same manner as all other County officers or continue to be appointed by the County Board of Education. On the official ballot shall be printed the following:

"Shall the County Superintendent of Education of Jackson County be elected by ballot?

() YES.
() NO.

Section 2. He shall hold office for four years, beginning July 1, 1929, and every four years thereafter.

Section 3. His salary shall be fixed by the County Board of Education but must not be less than two thousand dollars per annum.

Section 4. When elected, the County Superintendent of Education of Jackson County, without exception, shall possess all the qualifications required by law or required by regulations of the State Board of Education.

By Mr. Simpson:

H. 1163. To amend Section 7327 of the Code of Alabama of 1923.

Judiciary.

By Mr. Simpson:

H. 1164. To amend Section 10288 of the Code of Alabama of 1923.

Judiciary.

By Mr. Goodwyn:

H. 1165. For the relief of National Surety Company and appropriating therefor the sum of \$9000.00 and authorizing the State Auditor to draw a warrant on the State Treasurer in favor of said Company for said sum.

Appropriations.

By Mr. Goodwyn:

H. 1166. To provide for the administration and control of the public school systems in any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding Federal census; to establish a Board of Education, and provide for the manner of its selection.

Judiciary.

By Mr. Jeter:

H. 1167. To provide for the extension of the term of office of all Constables in counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census for a period of two years from the time of the expiration of their present term of office, and to provide that the present incumbents shall continue to hold said office during said period of two years by which their term is extended; and to fix and prescribe the term of office of all constables in such counties to be elected as the general election in November 1930 and thereafter.

Local Legislation.

By Mr. Jeter:

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

Local Legislation.

By Mr. Cockrell:

H. 1169. To define a chain of stores and to declare a chain of stores a monopoly or combination of capital and to authorize their regulation, prohibition or reasonable restraint by municipalities.

Manufacturing.

By Mr. Merrill:

H. 1170. To amend Section 779 of the Code of Alabama 1923 as far as same applies to the Chief Clerk in the office.

Appropriations.

By Mr. Morrow:

H. 1171. To require in all counties in this State having according to the last or any subsequent census 200,000 inhabitants or more, State and County officers and other persons whose salaries, expenses or other claims are now payable upon warrants drawn upon the County Treasurer by such officers, to be itemized, sworn to and presented to the Board of Revenue or other governing body of such counties, for audit and allowance.

Local Legislation.

By Mr. Frey:

H. 1172. To give a right of action for libel to the State of Alabama, and to all cities, towns and counties thereof, against newspapers published or circulated therein; to provide who shall prosecute such actions; the venue thereof; the amount of damages recoverable to fix a limitation upon such action and to repeal all laws or parts of laws in conflict herewith.

Judiciary.

By Mr. Frey:

H. 1173. To make it unlawful for any person, firm or corporation to publish in any newspaper published or circulated in this State, libellous matter concerning the State of Alabama, or the people thereof; any county in said State or the people thereof; or any city or town in said State, or the people thereof, and to fix the punishment therefor.

Judiciary.

By Mr. Frey:

H. 1174. For the relief of treasurers of those counties in the State of Alabama having more than 200,000 population according to the last or any subsequent Federal census, by validating, ratifying and making legal, the payment by such treasurers to the circuit solicitors of the circuit in which such counties are located of any warrants issued and paid under the provisions of Section 2 of an Act of the Legislature of Alabama approved August 22, 1922, entitled an Act "To amend Sections 3, 6 and 7 of an Act entitled 'An Act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and as-

sistant solicitors, prescribe their duties and authority, and fix their compensation,' approved September 25, 1915."

Local Legislation.

BILLS ON SECOND READING

Mr. Long, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation:

H. 1087. (Without Recommendation) To amend Section 9606 of the Code of Alabama of 1923.

Mr. Ward of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 514. To provide for the training of mentally retarded children of school age in towns of 6000 or more population according to the last or any subsequent Federal census.

Mr. Grove, Chairman of the Standing Committee on Seaport, Harbors and Maritime Commerce, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 348. To permit a sugar refinery to make or to manufacture as a by-product of and in such plant industrial alcohol or denatured alcohol, for non-beverage purposes only, in order to conserve the materials used in or incident to the manufacturing process employed in such refinery, by persons, firms or corporations, on any state owned land that constitutes, in whole or in part, any plan of development by the state or its agency, for the improvement or expansion of any of the harbors or seaports of the State; authorizing the Governor of the State of Alabama, in his discretion, to issue permits therefor; fixing the conditions and regulations under which such alcohol may be manufactured, transported and sold and requiring the giving of a bond to the State for the faithful observance of conditions and regulations in the premises; defining the terms used in this Act; and declaring offenses against the act and prescribing penalties for violations of this Act; and providing for the supervision of its enforcement by the Governor of Alabama.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1149. Relating to the government and control by civil service regulations of the Police and Fire Departments in all

cities of the State of Alabama having a population of 100,000 or more, according to the last or any succeeding Federal census, and relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

S. 193. To provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act.

H. 1054. To amend Section 2011 of the Code of Alabama of 1923.

S. 567. To amend Section 2336 of the Code of Alabama, 1923.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment::

S. 410. (With amendment) To provide a code of laws defining the powers of municipal corporations in this state with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefitted or increased in value by reason of such improvements, and to repeal all laws in conflict with the same.

S. 521. (With Amendment) To amend Section 2011 of the Code of Alabama of 1923.

Mr. Byars, Chairman of the Standing Committee on Eleemosynary Institutions, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. B. 449. To abolish the Board of Managers of the State Training School for Girls; to create a Board of Trustees in lieu thereof; to provide for their appointment and fix their terms of office.

S. B. 545. To authorize the condemnation of right-of-way over lands of other persons to cemeteries or graveyards, which have been used by the public as a place for burying the dead for twenty years or more when no part of said cemetery or graveyard is adjacent or contiguous to any public road or highway.

Mr. Matthews, Chairman of the Standing Committee on Criminal Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1009. To amend Section 766 of the Code of 1923.

Mr. Matthews, Chairman of the Standing Committee on Criminal Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment.

H. 1109. (With amendment) To amend Sections 4010 and 4012, Code of Alabama 1923, relative to escapes.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable Report:

S. 35. To amend an Act entitled "An Act to Make a Donation of the State Capitol at Tuscaloosa," approved on January 28, 1852, and found on page fifty-five (55) of the Acts of Alabama, 1851-2.

S. 265. To amend Section 10309, Code of Alabama, 1923.

S. 367. For the relief of E. R. Harris, of Sulligent, Alabama, and to authorize and require the State Auditor to draw his warrant on the State Treasurer in favor of E. R. Harris for the sum of Two Hundred (\$200.00) Dollars, and to require the State Treasurer to pay such warrant, and to appropriate the sum of Two Hundred (\$200.00) Dollars for the payment thereof.

S. 409. Authorizing the creation of the Board of Trustees of the "John T. Morgan Memorial Association," and conferring upon said body by charter issued to it by the Legislature of Alabama, the power of self-perpetuation, and to do any and all things as in this Act provided, and providing for the appropriation of Fifteen Thousand (\$15,000.00) Dollars in aid of the construction of a monument as a tribute in recognition of the eminent public services of John T. Morgan, said monument to be erected on Sand Island, where the Government has now in process of construction a quarantine station at Mobile, Alabama.

S. B. 519. To make appropriation for the erection on the battle-field at Gettysburgh, for a monument in perpetuation of the Soldiers from Alabama.

Mr. Deloney, Vice-Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

S. 453. To make an appropriation for the buildings and equipment for the Kate Duncan Smith D. A. R. School located at Grant, Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in Session had acted on the following Bills and ordered same returned to the House with a favorable report with amendment:

S. 360. (With amendment) To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Satncil R. Stearnes and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

H. 853. (With Amendment) To appropriate the sum of \$2500.00 for the relief of Clifton E. Clements.

Mr. Anderson, Chairman of the Standing Committee on Revision of Laws, reported that said committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

S. 22. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

S. 316. To amend Section 5695 of the Code of Alabama, 1923.

S. 326. To amend Section 8832 of the Code of Alabama.

S. 350. To further define robbery and to provide penalties therefor.

S. 180. To repeal section 388 and 394 of the Code of Alabama, 1923.

S. 551. To amend Section 8352 of the Code of Alabama, 1923.

H. 65. To amend Section 6842 of the Code of Alabama of 1923.

S. 156. To repeal Section 7539 of the Code of Alabama, 1923.

H. 1069. To create the Alabama State Park Commission; to define its rights, powers and duties in acquiring and maintaining State Parks; and making an appropriation to meet the expense.

H. 1096. To amend Section 9337 of the 1923 Code of Alabama.

H. 1113. To amend Section 7287 of the Code of Alabama.

H. 1115. To amend Section 10188 of the Code of Alabama of 1923.

H. 1153. To authorize the Attorney General and his duly appointed assistants to summon and compel the attendance of witnesses before them, or either of them, to testify in investiga-

tions of certain civil and criminal matters, which the law authorizes the Attorney General to conduct, and to prescribe the fees and mileage of such witnesses, and the fees of officers serving such subpoenas.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report with amendment.

S. 277. (with amendment) To authorize the Court of County Commissioners or other governing body of the county to authorize the Probate Judge or the Clerk of any Court of Record to index or reindex or contract therefor the records of his office or Court or to recopy any records that the Court deems necessary.

S. 547. (with amendment) To provide for the bringing of a second suit where the office of the Justice of the Peace before whom the original suit was brought is vacant.

S. 493. (with amendment) To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

S. 528. To amend sections 4 and 9 of an act entitled "An Act to amend Sections two (2), three (3), five (5), six (6), seven (7), eight (8) nine, (9), ten (10), thirteen (13) and fourteen (14) of an act entitled an act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

S. 505. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of

Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

H. 1089. To confirm and ratify and make valid claims or warrants filed against the Fine and Forfeiture Fund of Walker County, Alabama, by Mae Amiss Ashmore, (nee Mae Amiss) Clerk of the Circuit Court of Walker County, and John W. Crocker, ex-Clerk of said Court for making final records in Criminal or misdemeanor cases in the County Court of Walker County while acting as ex-officio Clerk of said Court, providing that not more than fifteen cents per hundred words shall be paid for said work, and that no such work shall be paid for that was not actually done before the claim or warrant was filed, and providing, that such claims or warrants shall be paid in their regular order according to the time they were filed with reference to other claims or warrants filed against said Fine and Forfeiture Fund.

H. 1139. To provide for the retirement of Judges of Circuit Courts or Courts of like jurisdiction in Circuits in the State of Alabama which are composed of only one county, having more than two judges and less than nine judges, or in circuits which may hereafter be composed of only one county having more than two judges and less than nine judges who have served in such capacity twenty years consecutively and have reached the age of seventy years; to provide for their compensation and to regulate the manner of their retirement.

H. 1138. To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public schools in the county of Mobile a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now authorized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

H. 1065. To authorize and empower the Court of County Commissioners of Walker County, Alabama, to pay out of the general funds of said county not exceeding \$3,600 per year for hospital service and treatment of indigent citizens of the county, and to prescribe who shall be entitled to said treatment and how the same may be obtained.

H. 1117. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

H. 1155. To better provide for the pay of salaried deputy sheriffs of Walker County out of the fine and forfeiture fund of said county, and to prescribe the method for paying same and the duties of said deputies.

H. 1154. For the relief of M. V. Henry, Treasurer of Jefferson County, Alabama.

H. 1143. To prescribe the qualifications of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority.

H. 1144. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, respectively, all the jurisdiction, powers and duties now conferred upon the Probate Court of Walker County, Alabama, or the Judge thereof, respectively, by the several provisions of Chapter 100 of the 1923 Code of Alabama, or by any other law of the State relating to juvenile delinquents, probations officers, wards of the State or dependent children.

H. 1145. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, all the jurisdiction, powers and duties now conferred or imposed, or which may hereafter be conferred or imposed, upon the Probate Court of Walker County, Alabama, or the Judge thereof, by the several provisions of Chapter 157 of the 1923 Code of Alabama, or by any law relating to the duties of the husband toward his wife, or parents toward their children.

S. 502. To fix and regulate the compensation of the Deputy Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent federal census, and to provide for the payment of such compensation.

S. 418. Relating to dependent, neglected or delinquent children in all counties of Alabama which have a population of as many as Two hundred thousand people according to the last Federal Census, or which shall have such population according to any such census that may be taken hereafter, and which counties, now have, or which counties shall hereafter have a Juvenile and Domestic Relations Court; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the Juvenile and Domestic Relations Courts of such counties; to provide for their protection, guardianship, custody, care, supervision, discipline, and generally for their welfare; to confer upon such Juvenile and Domestic Relations Courts in such counties original and exclusive jurisdiction and authority to adjudicate and enforce all questions and matters arising under or provided for by the terms of this Act, and to confer upon such courts full power and authority to try and determine all such

questions; or which may be otherwise referred to them by law, for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to confer upon such courts authority to make rules and regulations, and to devise and have printed, such records and forms, where not otherwise provided for under the terms of this Act, as shall be found necessary or convenient to the exercise of its jurisdiction, or which shall be necessary or convenient for the conduct of the Detention Home or Parental School or for the conduct of probation officers or their work as provided for in this Act; to create and provide for Advisory Board to such courts, and to define their duties to make it a misdemeanor by act, or omission, or otherwise to aid, abet, cause, connive at or contribute to the dependency, neglect, or delinquency of such children, in such counties, or to conceal or otherwise interfere with the custody of such children, or to interfere with or obstruct probation officers in the discharge of their duties, and in certain contingencies for injunctions in such cases, and to provide for the trial and punishment of such offenders; to provide for investigations by probation officers, and the effect of their reports as evidence to provide for the taking and enforcement of recognizances when same are made by a minor with adults as sureties; to provide that all proceedings under the terms of this Act in dealing with the children described herein shall be in equity, and civil in their nature, and to regulate same; to provide for the trial of any delinquent child as defined by this Act, in a criminal court of competent jurisdiction when the court after investigation or trial is convinced that such child cannot be made to lead a correct life under the discipline provided for such delinquent under the terms of this Act; to provide that under certain contingencies male children between sixteen and eighteen years of age shall be dealt with as delinquents; to provide for the establishment and maintenance of a Detention Home or Parental School, and for the appointment and compensation of probation officers, and for other expenses incident to the purposes of this Act; to provide for the appointment of referees, and to define their powers and duties; to declare when this act shall take effect, that should any part of this act be found to be unconstitutional that it shall not affect the remainder thereof, and to provide for the repeal of all laws inconsistent, or in conflict with this Act.

H. 1146. To make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this Act.

H. 1142. To provide for the establishment and creation of a waterworks Commission for the City of Phoenix City; To pre-

scribe their number and provide for their election or appointment, and prescribe their terms of office; To prescribe their qualifications; to prescribe their oath of office; to fix said Commission's duties and powers; to provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties; to prescribe and fix the meetings of said Commission; to prescribe the name of said Commission; to fix the bond of the Clerk and Treasurer of said Commission; to provide for and prescribe the duties and powers of said Commission; to provide for the employees of said Commission; to prescribe the manner of execution of contracts by said Commission; to provide a seal for said Commission; to provide that said Commission may make temporary loans; to provide for an attorney for said Commission; to provide for the establishment of an office by said Commission; to provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phoenix City; and to repeal all laws in conflict herewith:

H. 1140. To amend Section 17 of an Act entitled An Act to provide and create a commission form of municipal government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or any such census which may hereafter be taken: to regulate the selection and election of Commissioners and their terms of office, to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder: to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government. Approved September 18, 1923.

H. 1088. To require all warrants, bonds, and commitments, where defendants are held or bound over to await the action of the Grand Jury in Walker County, Alabama, to be returned to and filed with the clerk of the Circuit Court of Walker County, Alabama, to be kept and filed and furnished to the Solicitor or foreman of the Grand Jury on demand, and providing that said Clerk shall make a record of such papers, and further providing that the clerk of the Circuit Court of Walker County, as Ex-Officio Clerk of the County Court of Walker County shall also make a record of all bonds, commitments and warrants in all cases hereafter filed in said County Court and providing that such records or certified copies of same shall have the same legal effect as the originals when the original or any part of same is lost, and providing that the cost for making such record shall

be taxed and paid as other cost in criminal cases is taxed and paid.

S. 556. To amend Section Nine of an Act entitled: "An Act to establish a Board of Revenue for Lowndes County, and to define the powers and duties of said Board of Revenue" approved March 7th 1876.

S. 524. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said Courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties; providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the house with a favorable report with amendment:

S. 441. (With Notice and Proof): (With amendment) To authorize Jefferson County, Alabama, to acquire by condemnation, the whole or a part of block twenty-one known as Woodrow Wilson Park, in the City of Birmingham, Alabama, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 225. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.

S. 227. To amend section 6996 of the Code of Alabama, 1923.

S. 253. To amend Chapter 34 of the Code of Alabama, 1923, by providing for the admission to the Bryce Hospital for the insane, and to the Searcy Hospital for the insane, persons addicted to the use of alcohol, opium, cocaine, their derivations or compounds, and other narcotic drugs, or veronal, and to provide for their detention, treatment and discharge therefrom.

S. 290. To amend Section 7203 of the Code of Alabama of 1923.

S. 347. To provide for the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

S. 384. To create and establish the Court of Common Pleas of Calhoun county; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court; to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

S. 415. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Pre-

cinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55. To define the jurisdiction thereof, to provide for organizing and empaneling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to rearrange the territorial boundary lines of the jurisdiction of said court so held at Bessemer, and defining the boundary lines thereof by metes and bounds instead of by precincts, and eliminating from said Act Section 9½.

S. 111. To provide that if, upon the trial of a defendant charged with perjury, it appears that the defendant gave testimony in a former trial or proceeding in court it will be presumed that before such defendant gave his testimony in such former trial or proceeding, he was legally sworn or affirmed by a court or officer authorized to administer oaths or affirmations to parties or witnesses giving testimony in such former trial or proceeding.

S. 201. To amend section 8025 of the Code of Alabama, 1923.

S. 216. To amend section 7418 of the Code of Alabama, 1923.

S. 217. To amend section 7009 of the Code of Alabama, 1923.

S. 43. To regulate Sales of Goods, and to make uniform the law relating thereto, to make documents of title, negotiable in certain cases, and to require sales of goods of the value of \$500 or over to be in writing to be inforceable, unless partly delivered or partly paid for.

S. 218. To amend section 7005 of the Code of Alabama, 1923.

S. 222. To provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.

S. 509. To amend Section 754 of the Code of Alabama of 1923.

S. 532. To amend section 5460 of the Code of Alabama, 1923.

H. 677. To amend Section 3047 of the Code of 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

S. 550. (With Amendment) To amend Section 7209 of the Code of Alabama, 1923.

H. 1124. (With Amendment) In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty

Million (\$20,000,000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and the improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State Bond Issue allocated to the institutions of higher learning, including the normal schools; to authorize a statewide school building survey, and to make an appropriation therefor.

H. 1125. (With Amendment) To authorize and provide for the issuance and sale of State Bonds for the purpose of constructing and improving public school and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the house with a favorable report with substitute:

H. 783. (With substitute) To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties and compensation; to provide for and regulate jury trial therein; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeal to the Circuit Court.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1137. To alter and re-arrange the boundary lines of the Town of Linden, Alabama, so as to include within the Corporate limits of the said Town of Linden, in addition to the territory now embraced within the Corporate limits of said town, the territory described in Section One of this Bill:

S. 544. To amend Section 14 of an act entitled an act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said

judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees; approved August 28, 1923.

S. 407. To amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled an act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

S. 396. To amend Sections 5 and 14 of an act approved August 28, 1923, entitled an act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the Judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said pre-

cinct; to provide for transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees.

S. 442. To authorize the City School Board or City Board of Education, or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of county Commissioners of said county; to divide said County of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to Courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue fixing their term of office, and providing for the election of their successors.

H. 1077. To appropriate out of the County Treasury of Jefferson County, the sum of Fifteen Thousand (\$15,000.00) Dollars to be paid to Walter K. McAdory to reimburse him for expenses incurred by him while Sheriff of Jefferson County, Alabama, in serving legal processes in Criminal cases pending in the Municipal Court of Birmingham, the Inferior Court of Ensley, and the Inferior Court of Bessemer, Alabama, in cases wherein he received no compensation.

H. 1097. To amend Section 14 of an act entitled an act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge

and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriffs fees; approved August 28, 1923.

H. 1151. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

H. 1152. To require the Board of Revenue, Courts of County Commissioners or other governing bodies of Counties in this State having a population of not less than thirteen thousand or more than forty-five thousand population according to the last federal census or any future census, to furnish and pay for gasoline and oil used by the Sheriffs of said Counties in the discharge of their official duties, not to exceed the sum of Fifty (\$50.00) Dollars per month.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 1128. (With amendment) . To amend an act entitled an act to establish an Inferior Court of Autauga County, Alabama, in lieu of all Justices of the Peace and Notary Public Ex-Officio Justices of the Peace in Prattville precinct, or precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said court and the Judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the Judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the Judge thereof.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation:

S. 393. (Without recommendation) To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenue, the handling of the revenues and the appointment of a clerk to further assist the board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regula-

tions for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County Collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said Board and to repeal all local laws affecting roads and bridges in Barbour county and all laws in conflict herewith.

Mr. Moxley, Chairman of the Standing Committee on Public Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 511. To amend the caption and the body of an Act entitled "An Act" to enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920 or any subsequent Federal census; to require all cities having a population over 45,000 and less than 100,000, according to the Federal census of 1920, or any subsequent Federal census, which are located in counties having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920, or any subsequent Federal census, to pay one-half the compensation of such humane officers; and to require said counties to pay one-half the compensation of such humane officers; to require said counties and cities to furnish an automobile to such humane officers and to pay for its upkeep and the fuel used; to repeal all conflicting laws."

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 486. To provide for the extension of the corporate limits of certain municipalities so as to include contiguous territory in which is situated public school buildings used for the benefit of the residents of such municipality.

Mr. Carter, Chairman of the Standing Committee on Military, reported that said Committee in session had acted on the

following bill and returned same to the House with a favorable report:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

The above and foregoing bills were severally read a second time and placed on the calendar.

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendment,s reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report:

S. 389. A bill to be entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928. as follows:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon such proposed amendments and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI. Section 1. The state may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this state and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall

be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the state, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools, One Mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of twenty million dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful

payment of the principal and interest thereof, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the State, when authorized by appropriate laws passed by the legislature.

To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools and said institutions named herein, one mill of the two and one-half mills ad valorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by proclamation of the Governor.

The above and foregoing bill proposing an amendment to the Constitution was read a second time at length and placed on the Calendar.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

- S. 477. By Mr. Edgar
- S. 461. By Mr. Edgar.
- S. 457. By Mr. Edgar.
- H. 1111. By Mr. Goodwyn.
- H. 1101. By Mr. Jeter.
- H. 1103. By Mr. Hollis.

Mr. Frey, Chairman of the Standing Committee on Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

- H. 1030. By Mr. Frey.

Mr. Guy, Chairman of the Standing Committee on Penitentiaries, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

- H. 826. By Mr. Thompson.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

- H. B. 993. By Mr. Hawkins.

Mr. Allen, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

- H. 1123. By Mr. Edwards.
- S. 456. By Mr. Edgar.
- H. 1156. By Mr. Allen (By request)

Mr. Waddell, Chairman of the Standing Committee on Constitution and Constitutional Amendments, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

- H. 1090. By Mr. Darden.
- H. 1072. By Mr. Baldwin.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

- H. 715. By Mr. Nipper (By request)
- H. 716. By Mr. Nipper (By request).
- H. 714. By Mr. Nipper (By request).

Mr. Deloney, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on

the following bills and ordered same returned to the House with an adverse report:

H. 381.

H. 1000.

The above and foregoing bills were severally read a second time and placed on the adverse calendar.

BILLS REPORTED ADVERSELY

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation reported that said Committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

S. 559 and H. 1132.

RECOMMITTAL OF BILLS

On motion of Mr. Carter, the Bill

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Was recommitted to the Standing Committee on Appropriations.

And on motion of Mr. Goode the Bill:

By Mr. Ringer (without recommendation):

H. 1020. To establish, regulate and provide for the government of a sheep department for the State of Alabama, and to appropriate moneys to pay the cost of its operation.

Was recommitted to the Standing Committee on Appropriations.

NOTICE IN WRITING

Notice is hereby given that I will on the next legislative day, immediately after the reports of the Standing Committees are made, make a motion to take from the adverse calendar House Bill No. 1103 and place the same on the regular calendar for passage.

This August 18, 1927.

D. G. W. Hollis.

Motion to take from Adverse Calendar.

Mr. Long called up his motion to take the Bill H. 899 from the Adverse Calendar.

And on motion of Mr. Tompkins the motion of Mr. Long was laid upon the table.

Yeas, 64; Nays, 27.

Yeas:

Messrs.:			
Adcock	Golson	Luck	Ringer
Allen	Goode	McAdory	Rivers
Anderson	Grove	Matthews	Sanders (Pike)
Ashcraft	Guy	Miller (Marengo)	Smith
Bryant	Hightower	Miller (Sumter)	Starnes
Burleson	Hollis	Molette	Stephens
Burns	Howard	Monk	Stewart (Bibb)
Byars	Howell	Mullen	Stewart (Calhoun)
Carter	Hubbard	Nipper	Thompson
Cockrell	Hughes	Owens	Tompkins
Cook	Jones (Bullock)	Parish	Tunstall
Darden	Jones (Cleburne)	Patterson	Waddell
Denson	Jordan (Etowah)	Pegues	Ward (Tuscaloosa)
Edwards	Jordan (Washington)	Powell	Ware
Fite	Langdon	Quillin	Webb
Frey	Lee	Reeder	Weldon

—64

Nays:

Messrs:			
Mr. Speaker	Green	Merrill	Sanderson
Baldwin	Harwood	Moxley	Shepherd
Beebe	Johnson	Pitts	Simpson
Cannon	Kirkpatrick	Rankin	Vickers
Edmundson	Lawler	Rogers (Mobile)	Ward (Geneva)
Jeter	Lovelace	St. John	Winn
Goodwyn	Martin	Sanders (Conecuh)	

—27

Mr. Burleson moved to reconsider the vote by which the House on yesterday declined to require the Standing Committee on Judiciary of the House to report to the House the action of said Committee on S. 275. Mr. St. John moved to table the motion of Mr. Burleson and the motion of Mr. St. John was lost, Yeas, 42; Nays, 51.

Yeas:

Messrs:			
Mr. Speaker	Green	Martin	St. John
Allen	Grove	Miller (Marengo)	Sanders (Conecuh)
Baldwin	Guy	Moxley	Sanders (Pike)
Beebe	Harwood	Owens	Sanderson
Carter	Howell	Parish	Shepherd
Cook	Jordan (Etowah)	Patterson	Simpson
Deloney	Jordan (Washington)	Pitts	Vickers
Denson	Langdon	Rankin	Waddell
Edmundson	Lawler	Rivers	Ward (Geneva)
Edwards	Lovelace	Rogers (Mobile)	Winn
Goodwyn	Luck		

—42

Nays:

Messrs:

Adcock	Golson	McAdory	Ringer
Anderson	Goode	Matthews	Smith
Ashcraft	Graves	Merrill	Starnes
Brunson	Hightower	Miller (Sumter)	Stephens
Bryant	Hollis	Molette	Stewart (Calhoun)
Burleson	Howard	Monk	Thompson
Burns	Hubbard	Morrow	Tompkins
Cannon	Hughes	Mullen	Tunstall
Christian	Jeter	Nipper	Ward (Tuscaloosa)
Cockrell	Johnson	Pegues	Ware
Darden	Jones (Clebune)	Powell	Webb
Fite	Kirkpatrick	Quillin	Weldon
Frey	Lee	Reeder	

—51

And the motion of Mr. Burleson to reconsider the vote prevailed. Yeas, 52; Nays, 44.

Yeas:

Messrs:

Adcock	Golson	Lee	Ringer
Anderson	Goode	McAdory	Smith
Ashcraft	Graves	Matthews	Starnes
Brunson	Hightower	Merrill	Stephens
Bryant	Hollis	Miller (Sumter)	Stewart (Bibb)
Burleson	Howard	Molette	Stewart (Calhoun)
Burns	Hubbard	Monk	Thompson
Cannon	Hughes	Mullen	Tompkins
Christian	Jeter	Nipper	Tunstall
Cockrell	Johnson	Pegues	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Powell	Ware
Fite	Jones (Clebune)	Quillin	Webb
Frey	Kirkpatrick	Reeder	Weldon

—52

Nays:

Messrs:

Mr. Speaker	Green	Lovelace	Rogers (Mobile)
Allen	Grove	Luck	St. John
Baldwin	Guy	Martin	Sanders (Conecuh)
Beebe	Hampton	Miller (Marengo)	Sanders (Pike)
Carter	Harwood	Morrow	Sanderson
Cook	Hawkins	Moxley	Shepherd
Deloney	Howell	Owens	Simpson
Denson	Jordan (Etowah)	Parish	Vickers
Edmundson	Jordan (Washington)	Patterson	Waddell
Edwards	Langdon	Pitts	Ward (Geneva)
Goodwyn	Lawler	Rankin	Winn

—44

And on motion of Mr. Burleson the Judiciary Committee of the House was directed to report to the House at its next sitting the action of the Committee on S. B. 275.

Yeas, 54; Nays, 42.

Yeas:

Messrs:

Adcock	Golson	McAdory	Rivers
Anderson	Goode	Matthews	Smith
Ashcraft	Graves	Merrill	Starnes
Brunson	Green	Miller (Sumter)	Stephens
Bryant	Hightower	Molette	Stewart (Bibb)
Burleson	Hollis	Monk	Stewart (Calhoun)
Burns	Howard	Mullen	Thompson
Byars	Hubbard	Nipper	Tompkins
Cannon	Hughes	Pegues	Tunstall
Christian	Jeter	Powell	Ward (Tuscaloosa)
Cockrell	Johnson	Quillin	Ware
Darden	Jones (Clebune)	Reeder	Webb
Fite	Kirkpatrick	Ringer	Weldon
Frey	Lee		

—54

Nays:

Messrs:

Mr. Speaker	Guy	Martin	St. John
Allen	Hampton	Miller (Marengo)	Sanders (Conecuh)
Baldwin	Harwood	Morrow	Sanders (Pike)
Beebe	Hawkins	Moxley	Sanderson
Carter	Howell	Owens	Shepherd
Cook	Jordan (Etowah)	Parish	Simpson
Deloney	Jordan (Washington)	Patterson	Vickers
Edmundson	Langdon	Pitts	Waddell
Edwards	Lawler	Rankin	Ward (Geneva)
Goodwyn	Lovelace	Rogers (Mobile)	Winn
Grove	Luck		

—42

Mr. Tompkins moved to reconsider the vote by which the Committee on Judiciary was required to report action to the House on S. B. 275 and then moved to table the vote to reconsider and the motion to table prevailed.

RECOMMENDATION

On motion of Mr. Jeter the vote by which the Bill H. 1076 was lost on yesterday was reconsidered. And on motion of Mr. Jeter the vote by which the Bill H. 1076 was ordered to a third reading and engrossments was reconsidered and said Bill:

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

Was read a third time at length and passed;

Yeas, 65; Nays, 12.

Yeas:

Messrs:

Adcock	Green	Lawler	Quillin
Allen	Grove	Luck	Ringer
Anderson	Hawkins	McAdory	Rogers (Mobile)
Baldwin	Hightower	Matthews	St. John
Beebe	Hollis	Merrill	Sanders (Conecuh)
Burleson	Howard	Miller (Marengo)	Sanders (Pike)
Burns	Hubbard	Miller (Sumter)	Sanderson
Byars	Hughes	Monk	Starnes
Cannon	Jeter	Morrow	Thompson
Carter	Johnson	Mullen	Tompkins
Cockrell	Jones (Bullock)	Nipper	Waddell
Darden	Jones (Cleburne)	Owens	Ward (Geneva)
Denson	Jordan (Etowah)	Parish	Ware
Frey	Jordan (Washington)	Patterson	Webb
Goode	Kirkpatrick	Pegues	Weldon
Goodwyn	Langdon	Pitts	Winn
Graves			

—65

Nays:

Messrs.:

Ashcraft	Edmundson	Guy	Molette
Bryant	Edwards	Harwood	Simpson
Cook	Fite	Lovellace	Vickers

—12

Mr. Jeter moved to reconsider the vote by which the Bill H. 1076 was passed and then moved to table the vote to reconsider and the motion to table prevailed.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Also:

H. 824. To require County Board of Education of Coosa County, Alabama, to publish certified copies of the minutes of its proceedings of each regular, special, called and adjourned terms in some newspaper published in Coosa County, Alabama, and if no newspaper is published in the county then to require certified copies of the minutes of such terms to be posted at the court house and at the post offices of the county; to provide for a certified copy of the minutes to be delivered to the publisher of some newspaper, and to provide for payment for publication of the minutes and for making the certified copy of the same: and to provide a penalty for failing to comply with the provisions of this act.

Also:

H. 803. To require the Commissioners' Court of Coosa County, Alabama, to publish in some newspaper published in said county for one week, a certified copy of the minutes of each regular, special, called adjourned or revenue terms of said court, and if no newspaper is published in the county then to post certified copies of the minutes of said terms at the court house, and at the post offices at Goodwater, Kellyton, Nixburg, Equality, Weogufka and Marblevalley, in said County, to require the chairman or presiding offices by whatever name known or called of the Commissioners' Court of said county to make out said certified copy and deliver the same to the editor or publisher of some newspaper in said county, and to post certified copies of minutes at points in said county designated in this act, should there be no newspaper published in said county, or should newspapers fail or refuse to publish the same, and to provide compensation for publishing certified copies of said minutes and for making the same by the chairman of the Commissioners' Court, and to provide a penalty for failing to comply with the provisions of this act.

Also:

H. 750. To provide for the election of a recorder in the Town of Heflin, Cleburne County, Alabama, to define the powers of such recorder and to prescribe his duties and jurisdiction.

Also:

H. 931. To authorize the Board of Commissioners of the City of Montgomery, Alabama, to vacate and abandon that portion of State Street in the City of Montgomery, Alabama, which has never been opened or used as a street by the public.

Also:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the courts of county commissioners, boards of revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and con-

veniences to the sheriffs of such counties and to provide for the payment of same.

Also:

H. 533. To amend Section 29 of an Act approved August 15, 1923, and entitled "An Act to amend an act approved September 25th, 1915, entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act,; and to provide for the going into effect of various sections of said Act as amended."

Also:

H. 896. To authorize and require the treasurer of Crenshaw County, Alabama, or the custodian of funds of said county annually after having first paid interest due on the bonded indebtedness of the County out of the road and bridge fund as derived from the ad valorem taxes, to set aside the remainder of said road and bridge fund for the purpose of paying old road and bridge warrants of the County, and to prescribe the order in which such warrants are to be paid.

Also:

H. 778. To authorize and empower the Town Council of the Town of Brantley, Alabama, to widen, extend or elongate, vacate, annul, shorten, narrow or alter in any proper manner any street, avenue, alley or other public place in said Town and County and convey such portion of any street, avenue, alley or other public place so vacated annulled, shortened or narrowed, to the adjacent landowners, to the best interest of the citizens of said town and to give authority to either purchase or condemn space required to widen, elongate or extend any street, alley, avenue or other public place, under this Act.

Also:

H. 804. To alter and rearrange the boundaries of the town of Brantley in Crenshaw County, Alabama.

Also:

H. 915. To preserve the commissioners districts of Washington County as now fixed by law, or as may be hereafter prescribed; to make the commissioners now holding office in each district a board of road supervisors in addition to their duties

as a court of county commissioners, to prescribe their duties and fix their salaries; to create the office of road superintendent, provide for his election, define his powers and duties, and fix his salary.

Also:

H. 916. To repeal an act entitled an act to better improve the public roads of Washington County, Alabama, and to make better provisions for the working of said public roads, to divide said county into four road districts, and to provide for the election of a member of the court of county commissioners as road supervisor for each of said districts; to provide the duties of said road supervisors; to require the overseers of public roads of Washington county, Alabama, to work under and in connection with the said supervisors; to fix the pay of said supervisors; to provide for reports of the said supervisors; and to provide a penalty for failure to comply with said laws. Approved March 31, 1911, as amended by an act entitled an act to amend section seven (7) of the above act, approved September 14, 1923.

Also:

H. 863. To provide for the establishment, discontinuance, construction, use, working, maintaining, and location of the public roads and bridges in Cleburne County, Alabama; to provide for the appointment of a Road Supervisor in and for said County and to prescribe his qualifications and duties, and to fix his salary and provide for the method of his election or appointment.

Also:

H. 457. To provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified electors thereof and to prescribe the duties and fix the term and compensation of such officers.

Also:

H. 873. To authorize the governing body of the City of Birmingham to appropriate and use for other purposes a part of the proceeds of sale of bonds issued by the City of Birmingham for the purpose of providing a site and building for use of the Fire Department as a Central Repair and Storage Shop pursuant to authority granted by the qualified electors of the City of Birmingham at an election held June 22, 1926.

Also:

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

Also:

H. 798. To enlarge the duties now imposed by law on the Board of County Commissioners or County Board of Revenue of Crenshaw County, to authorize such board as now constituted or as hereafter may be constituted to become the sole purchasing agent for the County of Crenshaw of all road machinery, tools, implements, books, blanks, office furniture, fixtures, stationery or any and all articles and things which may be required by law to be purchased for or by the county, and to provide the manner and procedure of such purchases and to fix a penalty for failure to comply with this act.

Also:

H. 1015. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of DeKalb County, Alabama, and to provide that the members of the County Commissioner's Court shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such, to define their duties and fix their compensation as such supervisors.

Also:

H. 914. To alter or rearrange the boundary lines of the City of Bessemer, Alabama, so as to include within the corporate limits of said City the territory now included within the Town of Brighton, Alabama, and other territory in Jefferson County, Alabama.

Also:

H. 633. To provide for the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of a Court House for Morgan County, Alabama, in Decatur, Alabama, and to establish for the consummation of such purpose a Court House Commission; and to authorize and empower said Commission to erect, build, repair, remodel, or reconstruct, and equip and outfit a Court House for said County; to make temporary loans in anticipation of the collection of taxes; to invest the Commission with power and authority now held by the Board of Revenue of Morgan County, Alabama, for the purpose of erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House; to create and designate the funds from which the cost of said erection, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House shall be paid; and to prescribe the powers and duties of said Commission, and the powers and duties of the Board of Revenue of Morgan County, and the County Depository incident to the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of said Court House.

Also:

H. 958: For the relief of P. B. Hughes, former sheriff of Tuscaloosa County, Alabama, to authorize, empower and direct the Board of Revenue of Tuscaloosa County, Alabama, to pay to the said P. B. Hughes, out of any funds belonging to Tuscaloosa County and not already otherwise appropriated, the sum of \$1510.20, paid by said Board of Revenue, to the said P. B. Hughes, as sheriff of Tuscaloosa County, while acting as such sheriff consisting of the following sums of money, on the following accounts: \$55.80 for postage stamps, \$15.40 as mileage in cases which were not proessed, \$102.00 as fees for guarding prisoners, \$162.00 as fees for bailiffs in the County Court of Tuscaloosa County, and \$1175.00 as expense of maintaining automobiles for the use of the sheriff and his deputies, amounting in the aggregate to \$1510.20, and which the said P. B. Hughes, has, by the Chief Examiner of Accounts, been required to refund, and which he did refund to Tuscaloosa County on October 29, 1925.

Also:

H. 912. To vacate and annul the charter and dissolve the corporation of the Town of Brighton, Alabama.

Also:

H. 773. A Bill to be entitled an Act to propose and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the Legislature to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the state of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a

majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts; and providing that the powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924; and providing that any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

"The Legislature is authorized to form or to provide for the formation of public road districts in Baldwin County, Alabama, for the establishment, purchase, construction, betterment and maintenance of public roads, bridges, causeways and ferries; and for levying and collecting annually a tax not exceeding one percentum on the value of the taxable property in such districts, in addition to all taxes that are now or may hereafter be allowed under and by the constitution of the State of Alabama, or any other amendment thereto, such tax to be applied on account of the expense of such improvements in such districts; also to provide for advancing by said County of monies for such improvements, and for the return to the county from the proceeds

of the said special tax of all money so advanced; also to provide for the borrowing by said County upon its credit of monies to be so advanced by bonds or warrants without a vote of the electors of said county; all indebtedness so created to be in addition to that which is now or that may hereafter be allowed to be incurred by said County under the Constitution of the State of Alabama or any other amendment thereto; provided that the rate of the tax, the time it is to continue (which shall not be for a period longer than twenty years from the date when such tax becomes effective) and the purpose to which it is to be devoted shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further that the levying of a less rate than that authorized by this amendment shall not preclude additional levies not exceeding in the aggregate one percentum on the value of the taxable property in the district; provided further that if any tax is levied for a period less than twenty years, or if a part of the period for which such tax was originally levied has elapsed, then in either such event the period during which such tax is effective may, with the approval of a majority of the qualified voters voting at an election called for the purpose of voting upon the extension of such period, be extended for a period of twenty years from the date of the election by which such period is extended; and provided further that the debt authorized hereby to be incurred by the County, together with six percent interest per annum thereon to the date of payment, shall not exceed the estimated amount of such levied taxes computed on the basis of the last assessment of the taxable property in such districts. The powers herein conferred are in addition to and not in conflict with the powers conferred by the amendment to the Constitution proposed at the 1923 Session of the Legislature (Acts of Alabama 1923, page 593) and ratified at the General State election of November 1924.

Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if such laws had been enacted subsequent to the adoption of this amendment."

Section 2. That notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor of Alabama, which shall be published in one newspaper once a week in each County in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Also:

H. 660. To propose an Amendment to the Constitution of Alabama authorizing the City of Birmingham to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one per centum, which a majority of the qualified electors of said City voting at an election called for that purpose may authorize:

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature to-wit: November , 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the City of Birmingham is authorized to levy and collect under the Constitution as heretofore amended, said city shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes, any rate of tax, not in excess of one-half of one per centum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years)for the purpose or purposes of....." and "Against authorization of additional taxation at rate not to exceed.....per cent for the year (or years) for the purpose or purposes of....." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against

authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holders of bonds of said municipal corporation heretofore issued. Elections in said municipality to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipality for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self-operative without any additional legislation."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

"Yes....."
No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of

the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By the Rules Committee:

S. J. R. 94. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again tomorrow, August 19, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins, the House concurred in and adopted the S. J. R. No. 94, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 374. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment

retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare, and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1; The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvement against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a procla-

mation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article of the Constitution of Alabama."

Section 1. The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a

majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

And said bill, as thus amended, was again read a third time at length and passed by the Senate.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 419. Relating to and further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles and trailers used on the public highways of Alabama and for the registration and license fee therefor, and to further provide for the revenue of the State of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Long the House concurred in and adopted the Senate amendment to the Bill H. 419 Said Senate amendment being as follows:

Amend H. B. 419 by striking therefrom Section 4 of said bill.

Yeas, 55; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Goode	McAdory	Simpson
Adcock	Graves	Matthews	Smith
Allen	Grove	Miller (Marengo)	Starnes
Anderson	Hightower	Miller (Sumter)	Stephens
Brunson	Hollis	Mullen	Stewart (Calhoun)
Bryant	Howard	Pitts	Thompson
Burleson	Hubbard	Powell	Tunstall
Byars	Hughes	Rankin	Vickers
Christian	Johnson	Reeder	Waddell
Cockrell	Jones (Bullock)	Ringer	Ward (Geneva)
Cook	Jones (Cleburne)	Rivers	Ware
Darden	Kirkpatrick	Rogers (Mobile)	Weldon
Deloney	Edwards	Sanders (Conecuh)	Winn
Denson	Lee	Sanders (Pike)	

—55

Nay:—Mr. Cannon—1.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

Gentlemen: I return herewith to the House of Representatives, the body in which it originated, House Bill No. 554 without my approval. I suggest the following executive amendment, which if concurred in will render the bill free from objection.

"Section 3. The Judge of said Court shall be appointed by the Governor within twenty (20) days after the approval of this Act and shall hold office until the next general election in November, 1928, when his successor shall be elected by the qualified electors of Precinct Twelve (12) of Jefferson County, and his successor elected at that time shall hold office for four (4) years and until his successor is elected and qualified. Such Judge shall be at least twenty-one (21) years of age, shall be licensed to practice law, a qualified elector, and shall have resided in said Precinct for at least twelve (12) months. Said Judge shall give bond and surety as now required by law of Justices of Peace."

Respectfully,
Bibb Graves,
Governor.

And on motion of Mr. McAdory the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 554. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 64; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	McAdory	Sanders (Conecuh)
Adcock	Goode	Merrill	Sanders (Pike)
Anderson	Goodwyn	Miller (Marengo)	Sanderson
Baldwin	Graves	Miller (Sumter)	Shepherd
Brunson	Green	Molette	Simpson
Bryant	Hightower	Monk	Smith
Burleson	Hollis	Moxley	Starnes
Burns	Howard	Mullen	Stephens
Cannon	Hubbard	Nipper	Stewart (Bibb)
Christian	Hughes	Pegues	Stewart (Calhoun)
Cockrell	Jeter	Pitts	Tompkins
Cook	Johnson	Powell	Vickers
Darden	Jones (Cleburne)	Reeder	Waddell
Deloney	Kirkpatrick	Ringer	Ward (Geneva)
Denson	Lee	Rivers	Weldon
Edwards	Lovelace	Rogers (Mobile)	Winn

—64

Which was a majority of the whole number elected to the House.

And said Bill:

H. 554. To establish an inferior Court in precinct Twelve of Jefferson County Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all Justices of the Peace and notaries public, with powers of Justice of the Peace in

said precinct Twelve of Jefferson County, Alabama, and to define the jurisdiction and powers of said court and of the Judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all Justice of the Peace, and Notary public Ex-officio Justice of the peace in said precinct.

As amended by the amendment of the Governor was read a third time at length and passed.

Yeas, 64; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	McAdory	Sanders (Conecuh)
Adcock	Goode	Merrill	Sanders (Pike)
Anderson	Goodwyn	Miller (Marengo)	Sanderson
Baldwin	Graves	Miller (Sumter)	Shepherd
Brunson	Green	Molette	Simpson
Bryant	Hightower	Monk	Smith
Burleson	Hollis	Moxley	Starnes
Burns	Howard	Mullen	Stephens
Cannon	Hubbard	Nipper	Stewart (Bibb)
Christian	Hughes	Pegues	Stewart (Calhoun)
Cockrell	Jeter	Pitts	Tompkins
Cook	Johnson	Powell	Vickers
Darden	Jones (Cleburne)	Reeder	Waddell
Deloney	Kirkpatrick	Ringer	Ward (Geneva)
Denson	Lee	Rivers	Weldon
Edwards	Lovelace	Rogers (Mobile)	Winn

—64

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 72. To establish a State Trunk Road to be known as the "Shoals, National Forest and Birmingham Highway", Road No. 69.

H. 142. To further amend an Act entitled "An Act to establish an inferior criminal court for Jefferson County, Alabama, to define the jurisdiction and power of said court, the judge, clerk, and other officers thereof; to provide for the place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries," approved September 10, 1919 (Local Acts of

1919, page 121 to 130, inclusive), and the Act amending said Act, approved February 9, 1923 (Local Acts of 1923, page 16 to 19, inclusive), and to provide for the increase of the salary of the judge and other officers and employees of said court, and to amend the provisions as to the judges, officers and employees of said court, their number, appointment, authority and to provide for the creation and manner of appointment, duties and salary of an additional judge of said court, to be known as supernumerary judge.

H. 694. To alter and rearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Byars the House concurred in and adopted the Senate amendment to the Bill H. 72 said Senate amendment being as follows:

SENATE AMENDMENT TO H. 72.

Amend House Bill No. 72 by adding the word "Landersville" between the words "Hatton" and the word "Moulton" where the said words occur in said bill.

Yeas, 68; Nays, 0.

Yeas:

Messrs:

Mr. Speaker
Adcock
Anderson
Ashcraft
Beebe
Brunson
Bryant
Burleson
Burns
Byars
Cannon
Cockrell
Cook
Darden
Denson
Edwards
Fite

Frey
Goode
Goodwyn
Graves
Green
Grove
Guy
Hampton
Hightower
Hollis
Howard
Hubbard
Hughes
Jeter
Jones (Bullock)
Jones (Cleburne)
Jordan (Etowah)

Jordan (Washington)
Lee
Lovelace
McAdory
Matthews
Miller (Marengo)
Miller (Sumter)
Molette
Moxley
Mullen
Nipper
Norman
Patterson
Pegues
Pitts
Powell
Rankin
Reeder
Ringer
Rivers
Rogers (Mobile)
Sanders (Pike)
Sanderson
Simpson
Smith
Starnes
Stephens
Stewart (Calhoun)
Thompson
Tompkins
Waddell
Ward (Geneva)
Webb
Winn

—68

And on motion of Mr. Simpson the House concurred in and adopted the Senate amendment to the Bill H. 142. Said Senate amendment being as follows:

Amend House Bill 142 by striking from Section 8 thereof the words "four (4)" where said words appear together in said section and inserting in lieu thereof the words "Six (6)"

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Lee	Reeder
Adcock	Frey	Lovelace	Ringer
Allen	Golson.	Luck	Rivers
Beebe	Goode	McAdory	Shivers
Brunson	Graves	Martin	Simpson
Bryant	Green	Matthews	Smith
Burns	Grove	Merrill	Starnes
Byars	Gullatt	Molette	Stephens
Cannon	Guy	Monk	Tunstall
Carter	Hawkins	Morrow	Vickers
Cook	Hightower	Moxley	Waddell
Darden	Hollis	Mullen	Wallace
Deloney	Jeter	Owens	Ware
Denson	Johnson	Parish	Webb
Desear	Langdon	Pitts	Weldon
Edmundson	Lawler	Poole	Winn
Edwards			

—65

And on motion of Mr. Simpson the House concurred in and adopted the Senate amendment to the Bill H. 694. Said Senate amendment being as follows:

H. 694. To alter and rearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

"Section 1. That the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama, be and the same are hereby altered, rearranged and fixed so tas to include within the corporate limits thereof all the territory lying within the County of Jefferson, in said State, described and bounded as follows, to-wit:

Begin at the northeast corner of the S. E. 1-4 of the N. W. 1-4 of Section 7, Township 18 South, range 2 west, said point being in the present town limits of the Town of Homewood, Jefferson County, Alabama; run thence west along the north boundary of the Town of Homewood, which is also the north line of the South 1-2 of the N. W. 1-4 of said Section 7 to the northwest corner of the S. W. 1-4 of the N. W. 1-4 of said Section 7; run thence in a southwesterly direction along a straight line to the northwest corner of the S. W. 1-4 of the S. W. 1-4 of the S. W. 1-4 of Section 12, Township 18 South, Range 3 west; run thence south along the west line of Section 12 and the west line of Section 13, Township 18 South, Range 3 West, to the south side of the Oxmoor and Irondale Road, thence in a southwesterly direc-

tion along the south side of the Oxmoor and Irondale Road to the northeastern side of the Columbiana Road; thence in a generally southeasterly direction along the northeastern side of the said Columbiana Road to an intersection with the south boundary of the N.E. 1-4 of the N.E. 1-4 of Section 23, Township 18 South, boundary of said N. E. 1-4 of N. E. 1-4 of Section 23 and along the south boundary of the N. W. 1-4 of the N. W. 1-4 of Section Range 3 West; thence in an easterly direction along the south 24, Township 18 South, Range 3 West to the southeast corner of said quarter-quarter section; thence north along the east boundary of said N. W. 1-4 of N. W. 1-4 of section 24 to the northeast corner thereof; thence in an easterly direction along the north boundary of said section 24 and along the north boundary of section 19, township 18 South, Range 2 West, to the northeast corner of the N. W. 1-4 of N. W. 1-4 of Section 19, Township 18 South, Range 2 west; thence east along the north boundary of said section 19 to the northeast corner of the N. W. 1-4 of said Section 19, thence north along the east boundary of the S. W. 1-4 of Section 18, Township 18 South, Range 2 West, to the south bank of Shades Creek, thence in a northeasterly direction along the south bank of Shades Creek with its meanderings to the east line of section 18, township 18 south, range 2 west, thence north along the east line of said section 18 to the northeast corner of the S. E. 1-4 of the N. E. 1-4 of said section 18..... run thence west along the north line of the S. E. 1-4 of the N. E. 1-4 of said section 18 to the northwest corner of said S. E. 1-4 of the N. E. 1-4 of said section 18, run thence north along the east line of the N. W. 1-4 of the N. E. 1-4 of said section 18 to the northeast corner thereof; run thence west along the north line of the N. W. 1-4 of the N. E. 1-4 of section 18, township 18 south, range 2 west, to the northwest corner of the N. W. 1-4 of the N. E. 1-4 of said section 18, which said point is the southeast corner of the S. W. 1-4 of Section 7, Township 18 south, range 2 west, and being on the present boundary line of the Town of Homewood, Jefferson County, Alabama; run thence north along the east boundary of the Town of Homewood, which is also the east line of the S. W. 1-4 and the east line of the S. E. 1-4 of the N. W. 1-4 of Section 7, Township 18, South, Range 2 West, to the Northeast corner of the S. E. 1-4 of the N. W. 1-4 of said Section 7, to the point of beginning."

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker
Adcock
Allen
Beebe

Brunson
Bryant
Burns
Byars

Cannon
Carter
Cook
Darden

Deloney
Denson
Desear
Edmundson

Edwards	Lawler	Owens	Smith
Fite	Lee	Parish	Starnes
Frey	Lovelace	Pitts	Stephens
Golson	Luck	Poole	Tompkins
Goode	McAdory	Rankin	Tunstall
Grove	Martin	Reeder	Vickers
Gullatt	Matthews	Ringer	Waddell
Guy	Merrill	Rivers	Wallace
Hawkins	Monk	Rogers (Mobile)	Ware
Hightower	Morrow	St. John	Webb
Hollis	Moxley	Shivers	Weldon
Jeter	Mullen	Simpson	Winn
Johnson			

—65

BILLS ON THIRD READING

(With amendment) :

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 7003, 7006, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7097, 7098, 7100, 7103, 7104, 7105, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7210, 7214, 7215, 7216, 7218, and 7219 of the Code of 1923.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Corporations. Said Committee amendment being as follows:

COMMITTEE AMENDMENTS TO H. 586.

Amend the Caption of H. B. 586 by striking therefrom 7097, 7098, 7100, 7103, 7104, 7105, 7216, 7218 and by adding thereto the following: 6996, 7005, 7009, 7012 and 7209, so that the caption shall read as follows:

A bill to be entitled an act to amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6986, 7003, 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215, and 7219 of the Code of 1923.

Further amend the bill by striking therefrom Sections 42, 43, 44, 45, 46, 47, 73, and 74.

Further amend the bill by striking therefrom Section 3 and substituting in lieu therefor the following:

"Section 3. That Section 6968 of the Code of Alabama of 1923 be amended so as to read as follows: 6968. (3449) After the certificate has been recorded the Secretary of State as Cor-

poration Commissioner ex-officio shall endorse upon both copies filed, his certificate of registration, showing the book and page where recorded and the date so recorded. One copy of the certificate shall be returned to the corporation and by it shall be filed for record in the office of the Probate Judge of the county in which the corporation's principal place of business is located in this State. The Probate Judge shall receive for his services for recording the certificate fifteen cents for each one hundred words thereof. The Secretary of State as Corporation Commissioner ex-officio shall receive for his services for recording the certificate fifteen cents for each one hundred words of the certificate and two dollars and fifty cents for examining the same, said fees to be paid by him into the State Treasury for the use of the State.

Further amend the bill by striking from section 17 thereof the following: "The capital stock of Building and Loan Associations organized under the laws of this State may be increased to a sum not to exceed ten million dollars in the manner provided in this Section."

Further amend the bill by striking therefrom Section 14 thereof and inserting in lieu thereof the following:

"Section 14. That Section 6982 of the Code of Alabama be amended to read as follows:

Section 6982 (3462). Changes or amendment of charter and scope of business; how affected. Every corporation chartered under this chapter or under any general or special law of this State may change the nature of its business, the par value of the shares of its stock, change the location of its principal office in this State, renew or extend its corporate existence, change its corporate name and make such other amendment, alteration or change of its charter as may be desired in the following manner: The board of directors shall pass a resolution declaring that such change or alteration or extension is desirable and calling a meeting of the stockholders to take action thereon; if the holders of the larger amount in value of each class of stockholders having voting powers shall vote in favor of such alteration, change, amendment or renewal or extension a report thereof, certified by the president or secretary of the corporation, under the corporate seal, must be filed and recorded in the office of the Judge of Probate of the county in which the corporation was organized, and upon the filing of the same the certificate of incorporation shall be deemed to be so amended, or the corporate existence so renewed or extended; but such certificate of change, alteration, amendment, renewal or extension, shall contain only such provisions as would be lawful and proper to insert in an original certificate of incorporation made at the time of making such amendment, provided, that where the principal office of a cor-

poration as designated in its charter or an amendment thereto, is not in the county in which the corporation was organized the report hereinabove provided for may be filed either in the county in which the corporation was organized or in the county where is located its principal office in this state, and all reports of changes or amendments of charters of corporations heretofore filed in accordance herewith, shall be for all purposes effective as of the date of their filing.

Amend the bill further by striking therefrom Section 69 and inserting in lieu thereof the following:

"Section 69. That Section 7209 of the Code of Alabama be amended so as to read as follows: 7209)3642) (1316). Foreign corporation must file instrument of writing designating agent and place of business in this State.—Every corporation not organized under the laws of this State shall, before engaging in or transacting any business in this State, file with the Secretary of State, as corporation commissioner ex officio, a certified copy of its articles of incorporation or association and file an instrument of writing under the seal of the corporation and signed officially by the President and Secretary thereof, designating at least one known place of business in this State and an authorized agent or agents residing thereat; the said corporation shall agree in the instrument designating its agent or agents that the authority of such agent or agents shall continue in force irrevocably as long as any liability of the corporation remains outstanding in this State, and that, if said agent shall die, resign, be removed, or his authority cease in any other manner, the Secretary of State shall be the agent upon whom all process may be served on all liabilities that arose when such corporation was doing business in this State; and when such corporation shall amend its articles of incorporation or association, it shall not less than sixty days thereafter file a certified copy of such amendment with the Secretary of State and whenever such corporation shall abandon or change its place of business as designated in such instrument or shall substitute another agent or agents for the agent or agents designated in such instrument of writing, such corporation shall within sixty days thereafter file with the Secretary of State an instrument or writing showing such change, before transacting any further business in this State.

Further amend the bill by adding after Section 16 thereof the following:

"Section 16 $\frac{1}{2}$. That Section 6996 of the Code of Alabama be amended so as to read as follows: 6996. Powers of Executors and Administrators as to stock. An executor or administrator deriving his appointment from a court of probate or circuit court of this State, or if the testator or intestate reside without the State, from the proper tribunal of his domicile, may transfer the

shares of stock held and owned by such testator or intestate in any private corporation existing under the laws of this State; and the corporation must make such transfer on its books and issue new certificates of stock upon the written demand of such executor or administrator and in compliance with the charter and by-laws of the corporation with respect to the transfer of shares of stock. The corporation and any registrar or transfer agent participating in the transfer and reissuance of such shares of stock shall be under no duty to see that the executor or administrator is authorized to require such transfer and reissuance of shares; provided, that where there is a will which has been duly probated and which does not by its terms prohibit the corporation from making the transfer as demanded a certified copy thereof shall accompany the demand. If any uncertainty exists as to the construction of the will in respect to such prohibition, the corporation may require an order of court before making such transfer. Payment of dividends on such stock may be made to such executor or administrator."

Amend the bill further by adding after section 17 thereof the following:

"Section 17½. That Section 7005 of the Code of Alabama be amended so as to read as follows: "7005. Rights of Corporation as to Issuance of Two or More Kinds of Stock with One or More Classes of Each Kind. Any corporation organized under the laws of this State may create or authorize and provide for the issue of two or more kinds of stock, and each kind of stock may be divided into one or more classes (including debenture stock and preferred stock of one or more classes) in such proportions as between the different classes as may from time to time be fixed and determined by the board of directors. Each such kind of stock shall be in such proportions, with such designations, preferences (including preferences as to dividends and assets), voting power or restrictions or qualifications thereof or without voting power (except as to the creation of bonded indebtedness, the increase of capital stock and the issuance of preferred stock) and with such rights of redemption, retirement and conversion, and provisions as to security as shall be stated or expressed in the certificate of incorporation or in any certificate of amendment thereof or in any joint agreement of merger or consolidation adopted as provided by law; and the power to increase or decrease the stock of the corporation by agreement of merger or consolidation or otherwise as provided by law shall apply to any of or all the kinds of stock."

Further amend the bill by adding after Section 181¼ thereof the following:

"Section 181½. That Section 7009 of the Code of Alabama be amended so as to read as follows: 7009. Stock without nominal

or par value; how issued. Any corporation heretofore or hereafter organized under the laws of this State, other than building and loan associations, insurance companies, banks and trust companies, may, if so provided in its certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation duly adopted as provided by law, issue shares of stock, either common or preferred, without any nominal or par value. Every share of such stock without nominal or par value shall be equal to every other share of such stock, except that the certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation may provide that such stock shall be divided into different kinds of stock in such proportions and with such preferences, designations and voting powers or restrictions or qualification thereof as shall be stated therein, but all common stock issued shall be subordinate to the preferences given to preferred stock, if any. Each kind of stock may be divided into one or more classes in such proportions as between the different classes of the different kinds as may from time to time be determined by the board of directors."

Further amend the bill by adding after Section 19 thereof the following: "Section 19 $\frac{1}{2}$. That Section 7012 of the Code of Alabama be amended so as to read as follows: 7012. Statement as to Par Value of Stock. In any case in which the law requires that the par value of the shares of stock of a corporation be stated in any certificate or paper, it shall be stated in respect of such shares without par value that such shares are without par value, and wherever the amount of stock authorized or issued is required to be stated, the number of shares authorized or issued shall be stated, and it shall also be stated that such shares are without par value. For the purpose of franchise taxes prescribed to be paid by corporations organized under the laws of the State of Alabama to the State of Alabama, the amount of franchise tax shall be based with respect to shares without par value upon the amount of capital actually paid into the Treasury of the corporation in consideration of the issuance of its shares of stock without par value. For the purposes of taxes and fees prescribed to be paid on the filing of any certificate or other paper relating to corporations, but for no other purpose, such shares without par value shall be taken to be of the value of one Hundred and No-100 Dollars (\$100.00) per share, unless accompanying such certificate or other paper there is filed a copy of a resolution of the board of directors of the corporation, certified under its seal by its secretary, or, in the case of a corporation being organized, a resolution of its incorporators, certified by the person designated in the certificate of incorporation as Secretary of the proposed corporation, stating the amount of fixed capital represented by such shares without par value, in which

event such shares shall be taken to be of a par value per share equivalent to the total amount of such fixed capital so stated in such resolution divided by the total number of shares without par value represented thereby."

And the amendment reported by the Standing Committee on Appropriations was adopted.

Yeas, 77; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Langdon	Quillin
Adcock	Graves	Lee	Rankin
Allen	Green	Luck	Reeder
Anderson	Grove	McAdory	Ringer
Ashcraft	Guy	Matthews	Sanders (Pike)
Baldwin	Harwood	Merrill	Sanderson
Brunson	Hawkins	Miller (Marengo)	Simpson
Bryant	Hightower	Miller (Sumter)	Smith
Burleson	Hollis	Molette	Starnes
Carter	Howard	Monk	Stephens
Christian	Hubbard	Moxley	Stewart (Calhoun)
Cockrell	Hughes	Mullen	Thompson
Cook	Jeter	Nipper	Tompkins
Darden	Johnson	Norman	Waddell
Deloney	Jones (Bullock)	Owens	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Parish	Ware
Edwards	Jordan (Etowah)	Patterson	Webb
Fite	Jordan (Washington)	Pegues	Weldon
Frey	Kirkpatrick	Pitts	Winn
Goode			

—77

And said Bill:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 7003, 7006, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7097, 7098, 7100, 7103, 7104, 7105, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7210, 7214, 7215, 7216, 7218, and 7219 of the Code of 1923.

As amended by the amendment reported by the Standing Committee on Corporations.

Was read a third time at length and passed.

Yeas, 75; Nays, 1.

Yeas:

Messrs.:

Adcock	Burleson	Darden	Goode
Allen	Burns	Deloney	Goodwyn
Anderson	Carter	Denson	Graves
Ashcraft	Christian	Fite	Green
Baldwin	Cockrell	Frey	Grove
Bryant	Cook	Golson	Hampton

Harwood	Lee	Patterson	Starnes
Hawkins	Luck	Pitts	Stephens
Hightower	McAdory	Quillin	Thompson
Hollis	Matthews	Rankin	Tunstall
Howard	Merrill	Reeder	Vickers
Hubbard	Miller (Marengo)	Ringer	Waddell
Hughes	Miller (Sumter)	Rogers (Mobile)	Ward (Geneva)
Jeter	Molette	Sanders (Conecuh)	Ward (Tuscaloosa)
Johnson	Monk	Sanders (Pike)	Ware
Jones (Cleburne)	Moxley	Sanderson	Webb
Jordan (Etowah)	Mullen	Shepherd	Weldon
Jordan (Washington)	Nipper	Simpson	Winn
Lawler	Owens	Smith	

—75

Nay:—Mr. Tompkins—1.

And on motion of Mr. Cockrell the Bill H. 586 was ordered sent forthwith to the Senate without Engrossment.

H. 898. (with amendment) Authorizing, directing and requiring the State Board of Administration to furnish free text books and writing materials to the pupils of Grades One, Two and Three of the Public Schools of the State, and to make an appropriation to pay for the same.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said Committee amendment being as follows:

Amend Section 1 of H. B. 898 by adding thereto the following:

Provided that no child within the first, second or third grades receiving such books free shall receive during any school term more than one set of such books and provide further that upon the receipt of such books the principal shall retain a receipt for all such books furnished and shall require all children so receiving such books free to return to such principal all such books at the close of term or school and shall be kept as property of the State for further use in the subsequent term or school.

Amend H. B. 898 by adding the following Section:

Section 5. That the sums hereby appropriated shall be payable on the approval of the Governor, in whole or in part, from time to time as in his opinion the condition of the Treasury may warrant|

And the amendment reported by the Standing Committee on Appropriations to the bill was adopted; Yeas, 82; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Baldwin

Bryant
Burleson
Burns
Byars
Cannon

Carter
Cockrell
Cook
Darden
Deloney

Denson
Edmundson
Edwards
Fite
Goode

Goodwyn	Jordan (Etowah)	Nipper	Starnes
Graves	Jordan (Washington)	Norman	Stewart (Bibb)
Green	Kirkpatrick	Owens	Stewart (Calhoun)
Grove	Langdon	Parish	Thompson
Guy	Lawler	Patterson	Tompkins
Harwood	Lee	Pegues	Tunstall
Hawkins	Luck	Pitts	Vickers
Hightower	McAdory	Quillin	Waddell
Hollis	Matthews	Rankin	Wallace
Howard	Merrill	Ringer	Ward (Geneva)
Howell	Miller (Marengo)	Rogers (Mobile)	Ward (Tuscaloosa)
Hubbard	Miller (Sumter)	Sanders (Conecuh)	Ware
Hughes	Molette	Shepherd	Webb
Jeter	Monk	Simpson	Weldon
Johnson	Moxley	Smith	Winn
Jones (Cleburne)	Mullen		

—82

Mr. Cockrell offered the following amendment to the Bill:

Amend H. 898 by striking out Section 3 thereof, and inserting in lieu thereof the following:

Section 3. The books furnished by this Act shall be distributed under the rules and regulations of the State Board of Administration.

And the amendment offered by Mr. Cockrell to the bill was adopted.

Yeas, 78; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	McAdory	Ringer
Adcock	Graves	Matthews	Rivers
Allen	Grove	Merrill	Rogers (Mobile)
Anderson	Guy	Miller (Marengo)	St. John
Baldwin	Harwood	Miller (Sumter)	Sanders (Conecuh)
Bryant	Hawkins	Molette	Sanders (Pike)
Burns	Hightower	Monk	Shepherd
Byars	Howard	Moxley	Simpson
Cannon	Howell	Mullen	Smith
Carter	Hughes	Nipper	Stewart (Bibb)
Christian	Jeter	Norman	Stewart (Calhoun)
Cockrell	Johnson	Owens	Tompkins
Cook	Jones (Bullock)	Parish	Vickers
Darden	Jones (Cleburne)	Patterson	Ward (Geneva)
Deloney	Jordan (Etowah)	Pegues	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Pitts	Ware
Edwards	Lawler	Powell	Webb
Fite	Lee	Quillin	Weldon
Golson	Lovelace	Rankin	Winn
Goode	Luck		

—78

Nays:—Messrs. Hollis, Sanderson—2.

And said Bill:

H. 898. Authorizing, directing and requiring the State Board of Administration to furnish free text books and writing

materials to the pupils of Grades One, Two and Three of the Public Schools of the State, and to make an appropriation to pay for the same.

As amended was read a third time at length and passed.

Yeas, 84; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Graves	Martin	Sanders (Conecuh)
Adcock	Grove	Matthews	Sanders (Pike)
Allen	Guy	Merrill	Sanderson
Anderson	Hampton	Miller (Marengo)	Shepherd
Ashcraft	Hawkins	Miller (Sumter)	Simpson
Baldwin	Hollis	Molette	Smith
Bryant	Howard	Monk	Starnes
Byars	Howell	Mullen	Stewart (Bibb)
Cannon	Hughes	Nipper	Stewart (Calhoun)
Carter	Jeter	Norman	Thompson
Christian	Johnson	Owens	Tompkins
Cockrell	Jones (Bullock)	Parish	Tunstall
Cook	Jordan (Etowah)	Patterson	Vickers
Darden	Jordan (Washington)	Pitts	Waddell
Deloney	Kirkpatrick	Powell	Wallace
Edmundson	Langdon	Quillin	Ward (Geneva)
Edwards	Lawler	Rankin	Ward (Tuscaloosa)
Fite	Lee	Ringer	Ware
Frey	Lovelace	Rivers	Webb
Goode	Luck	Rogers (Mobile)	Weldon
Goodwyn	McAdory	St. John	Winn

—84

Nay:—Mr. Burleson—1.

Mr. Long moved to reconsider the vote by which the Bill H. 898 was passed and then moved to table the motion to reconsider and the motion to table prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills and S. J. R. your signature thereto is requested:

S. 54. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses; to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for

failure to comply with the orders of the Commission or with the provisions of this Act.

S. J. R. 93. Relative to the death of Judge E. H. Gary of New York City.

S. 299. To provide for the election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

S. 499. For the relief of county treasurers of counties which counties constitute a judicial circuit, having five or more circuit judges; who have erroneously paid monies to assistant solicitors under the Act approved August 22, 1923.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, and Senate Joint Resolution the titles to which are set out in the above and foregoing Message from the Senate.

NOTICES IN WRITING

NOTICE TO TAKE BILL FROM ADVERSE CALENDAR

Notice is hereby given that on the next Legislative Day I will move to take Senate Bill 220 from the Adverse Calendar and place it on the regular calendar.

D. T. Ware.

Notice is hereby given in writing that on the next Legislative Day I will make a motion to take from the Adverse Calendar and place on regular calendar S. R. 221.

John A. Darden.

Notice is hereby given that on the next Legislative Day I will move to take H. B. 661 from the Adverse Calendar and place same on regular calendar.

R. M. Guy.

BILL ON THIRD READING

H. 471. (With substitute) To provide and submit to the qualified electors of the State of Alabama on the second Tuesday in May, 1928, an amendment to the Constitution of Alabama,

whereby the following municipal corporations, Attalla, Albertville, Arab, Boaz, Guntersville, Gadsden and Union Springs in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half ($1 \frac{1}{2}$) per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one percentum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at election to be held by them from time to time for such purposes and to provide for such elections

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Constitution and Constitutional Amendments. Said Committee substitute being as follows:

SUBSTITUTE FOR H. 471

A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama on the Second Tuesday in May 1928 an amendment to the Constitution of Alabama, whereby the following municipal corporations, Attalla, Alexander City, Albertville, Arab, Boaz, Bridgeport, Gadsden, Eufaula, Louisville and Union Springs, and Jasper, and Altoona, and Guntersville in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half ($1 \frac{1}{2}$) per centum of the value of such property, as assessed, as provided by the constitution and statutes now or hereinafter enacted pursuant to the constitution; provided that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed to be submitted; to the qualified electors of the State of Alabama for their consideration on the second Tuesday in May 1928, to-wit:

Section 2. The municipality of the City of Gadsden may, thru its governing authority, in addition to the taxes which it is now allowed by the constitution to levy and collect, to levy and collect an additional tax of not exceeding ($\frac{1}{2}$ of 1%) one-half

of one per cent per annum in such amounts and to be devoted to such purposes as may be designated by its authorized governing authorities and voted by the qualified electors at an election called for the purpose by its governing authority; provided that the total levy and collection shall not exceed one and one-half per centum ($1\frac{1}{2}\%$) in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next succeeding levy.

Section 3. That the municipalities of Bridgeport, Arab, Boaz, Albertville and Guntersville, may, through their governing authorities in addition to the taxes which is now allowed by the constitution to levy and collect, levy and collect an additional tax of not exceeding (1%) one per cent per annum in such amounts, and to be devoted to such purposes as may be designated by their authorized governing authorities and voted by the qualified electors, at an election called for the purpose by their respective governing authorities provided that the total levy and collection shall not exceed one and one-half per centum ($1\frac{1}{2}\%$) in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next succeeding the levy.

Section 4. That the municipalities of Attalla, Alexander City, Eufaula, Louisville, and Union Springs, and Jasper, Altoona through their governing authority shall have the power and right to levy and collect a tax of ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year on the thirtieth day of September next succeeding the levy and that for the purpose of paying bonds and indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds and indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, an additional tax of ($\frac{1}{2}$ of 1%) may be levied and collected by said corporations; and provided further, that a majority of the qualified electors of any of said municipal corporations voting at an election called for that purpose may vote a special tax not to exceed ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year for any special purpose or purposes, which tax shall be used for the purpose or purposes for which same is voted, levied and collected; provided, however, that the total tax to be levied by any of said corporations shall not exceed (1 and $\frac{1}{2}\%$) one and one-half per cent in any one year on the taxable property situated therein.

Section 5. Such tax shall be levied upon the value of the property situated in the said municipalities as assessed, as provided by the Constitution and the statutes now or hereafter en-

acted pursuant to the Constitution, provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school tax now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in addition to the taxes herein provided in each of said municipalities.

Section 6. It shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county in the state at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this Act to be submitted to the qualified electors of the State of Alabama for their consideration, together with the proposed amendment.

Section 7. That at said election on the amendment proposed by this Act to be submitted to the qualified electors of the state for their consideration to be held as herein provided, the qualified electors shall vote upon said amendment, and the official ballots printed for such election shall be printed the following, namely: "Shall the Following be Adopted as an Amendment to the Constitution of Alabama?"

"The municipality of the City of Gadsden may through its governing authority in addition to the taxes which it is now allowed by the constitution to levy and collect, to levy and collect an additional tax of not exceeding ($\frac{1}{2}$ of 1%) one-half of one per cent per annum in such amounts and to be devoted to such purposes as may be designated by its authorized governing authorities and voted by the qualified electors at an election called for the purpose by its governing authority; provided that the total levy and collection shall not exceed one and one-half per centum ($1 \frac{1}{2}\%$) in any one year, on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next proceeding the levy.

That the municipality of Bridgeport, Arab, Boaz, Albertville, and Guntersville, may through their governing authorities in addition to the taxes which is now allowed by the constitution to levy and collect, levy and collect an additional tax of not exceeding (1%) one per cent per annum in such amounts, and to be devoted to such purposes as may be designated by their authorized governing authorities and voted by the qualified electors, at an election called for the purpose by their respective governing authority, provided that the total levy and collection shall not exceed one and one-half per centum ($1 \frac{1}{2}\%$) in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next succeeding the levy.

That the municipalities of Attalla, Alexander City, Eufaula, Louisville and Union Springs, and Jasper, and Altoona through their governing authority shall have the power and right to levy and collect a tax of ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year on the thirtieth day of September next succeeding the levy and that for the purpose of paying bonds and indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds and indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, an additional tax of ($\frac{1}{2}$ of 1%) may be levied and collected by said corporations; and provided further, that a majority of the qualified electors of any of said municipal corporations voting at an election called for that purpose may vote a special tax not to exceed ($\frac{1}{2}$ of 1%) one-half on one per cent in any one year for any special purpose or purposes, which tax shall be used for the purpose or purposes for which same is voted, levied and collected; provided, however, that the total tax to be levied by any of said corporations shall not exceed (1 and $\frac{1}{2}$ %) one and one-half per cent in any one year on the taxable property situated therein.

Such tax shall be levied upon the value of the property situated in said municipalities as assessed, as provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution, provided, that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power or authority or right of any of said municipal corporations to levy and collect the special school tax now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in addition to the taxes herein provided in each of said municipalities". Following the proposed amendment on the ballot, shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark by him or under his direction opposite the word expressing his desire.

Section 8. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 9. That the votes cast at said election shall be counted, canvassed and tabulated, and returns made to the Secretary of State in the same manner as in the election of representatives

to the Legislature. And if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid and all intents and purposes as a part of the Constitution of the State of Alabama, the result of such election shall be made known by the proclamation of the Governor.

Section 10. The expenses of the election herein provided and the cost of the publication of the notices shall be paid in the same manner as the expenses of other elections for the adoption of amendments to the Constitution of the State.

This Act shall take effect upon its passage and approval by the Governor.

Mr. Jordan of Etowah offered the following substitute for the substitute reported by the Standing Committee on Constitution and Constitutional Amendments.

SUBSTITUTE FOR H. 471.

H. 471. A Bill to be entitled an Act, to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of the State of Alabama increasing the amount of taxes which may be levied by the respective governing bodies of the following municipal corporations, viz: Attalla, Alexander City, Albertville, Arab, Boaz, Bridgeport, Gadsden, Eufaula, Louisville, Union Springs, Jasper, Altoona and Guntersville, and Decatur and Sylacauga and Clanton.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) That the municipality of the city of Gadsden, through its governing body, in addition to the taxes which it is by any other provision of the Constitution or any amendment thereto otherwise authorized to levy and collect, may levy and collect from and after the adoption of this amendment, an additional tax of not exceeding one-half of one per centum per annum in such amounts and to be devoted to such purposes as may be designated by the governing body of said municipality and voted for by a majority of the qualified electors voting upon such proposition at

an election called by the governing body of said municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half per centum in any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(b) That the municipalities of Bridgeport, Arab, Boaz, Clanton, Albertville and Guntersville, through their respective governing bodies, in addition to the taxes which each of such municipalities is, by any other provision of the Constitution or any amendment thereto, otherwise authorized to levy and collect, may levy and collect from and after the date of the adoption of this amendment an additional tax of not exceeding one per centum per annum, in such amounts and to be devoted to such purposes as may be designated by their respective governing bodies and voted for by a majority of the qualified electors of such municipality voting upon such proposition at an election called by the governing body of such municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half per centum in any one year on property situated therein, based on the valuation of such property as assessed for state taxation.

(c) That the municipalities of Attalla, Alexander City, Decatur, Sylacauga, Eufaula, Louisville, Union Springs, Jasper and Altoona, through their respective governing bodies, may levy and collect, from and after the date of this amendment, a tax of not exceeding one-half of one per centum per annum; and that for the purpose of paying interest and principal when due of bonds and indebtedness issued and outstanding at the time of the adoption of this amendment, or hereafter issued or incurred, an additional tax of one half of one per centum may be levied and collected by the respective governing bodies of each of said municipalities; and provided further that a majority of the qualified electors of any of said municipalities voting upon such proposition at an election called by such municipality for that purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which the same is levied or collected. Provided that the total taxes levied for all purposes shall not exceed one and one-half (1½%) per centum during any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(d) That the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority, or right of any municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon it, under the Constitution or any amendment thereto.

(e) Each election held under the provisions of this amendment shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such elections shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years).....for the purpose or purposes of.....and "Against authorization of additional taxation at a rate not to exceed.....per cent for the year (or years).....for the purpose or purposes of.....". The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used shall be likewise printed in the respective spaces therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of either of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This amendment shall be self-operative without any additional legislation.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

And the substitute offered by Mr. Jordan of Etowah for the substitute reported by the Committee was adopted.

And the substitute reported by the Standing Committee on Constitution and Constitutional amendments as amended by the substitute of Mr. Jordan of Etowah was adopted.

Yeas, 77; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Luck	Rogers (Mobile)
Adcock	Fite	McAdory	Sanders (Conecuh)
Allen	Frey	Matthews	Sanders (Pike)
Anderson	Golson	Merrill	Sanderson
Ashcraft	Goode	Miller (Marengo)	Shepherd
Baldwin	Green	Miller (Sumter)	Simpson
Bartlett	Grove	Mullen	Smith
Beebe	Harwood	Nipper	Starnes
Brunson	Hightower	Norman	Stephens
Bryant	Hollis	Owens	Stewart (Bibb)
Burleson	Howard	Parish	Stewart (Calhoun)
Byars	Hughes	Patterson	Thompson
Cannon	Johnson	Pegues	Waddell
Carter	Jones (Bullock)	Pitts	Wallace
Cockrell	Jones (Cleburne)	Powell	Ward (Geneva)
Cook	Jordan (Etowah)	Quillin	Ward (Tuscaloosa)
Darden	Kirkpatrick	Rankin	Ware
Deloney	Lee	Ringer	Weldon
Denson	Lovelace	Rivers	Winn
Edmundson			

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And said bill:

H. 471. A Bill to be entitled An Act to provide and submit to the qualified electors of the State of Alabama on the second Tuesday in May, 1927, an amendment to the constitution of Alabama, whereby the following municipal corporations, Attalla, Albertville, Arab, Boaz, Guntersville, Gadsden and Union Springs in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half (1 and ½) per centum of the value of such property, as assessed, as provided by the constitution and statutes now or hereafter enacted pursuant to the constitution; provided that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at election to be held by them from time to time for such purposes and to provide for such elections.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed to be submitted; to the qualified electors of the State of Alabama for their consideration on the second Tuesday in May, 1928, to-wit:

Section 2. The municipality of the City of Gadsden may thru its governing authority in addition to the taxes which it is now allowed by the constitution to levy and collect, levy and collect an additional tax of not exceeding (½ of 1%) one-half of one per cent per annum in such amounts and to be devoted to such purposes as may be designated by its authorized governing

authorities and voted by the qualified electors at an election called for the purpose by its governing authority; provided that the total levy and collection shall not exceed one and one-half per centum (1 and $\frac{1}{2}\%$) in any one year, on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next succeeding the levy.

Section 3. That the municipalities of Attalla, Union Springs, Albertville, Guntersville, Arab, Boaz and Bridgeport through their governing authority shall have the power and right to levy and to collect a tax of ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending on the thirtieth day of September next succeeding the levy; provided that for the purpose of paying bonds and indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds and indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, an additional tax of ($\frac{1}{2}$ of 1%) may be levied and collected by said corporations; provided, further that a majority of qualified electors of any said municipal corporations voting at an election called for that purpose may vote a special tax not to exceed ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year for any special purpose or purposes, which tax shall be used for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by any said corporations shall not exceed (1 and $\frac{1}{2}\%$) one and one-half per cent in any one year on the taxable property situated therein.

Section 4. Such tax shall be levied upon the value of the property situated in the said municipalities as assessed, as provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution, provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power or authority or right of any of said municipal corporations to levy and collect the special school tax now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in addition to the taxes herein provided in each of said municipalities.

Section 5. It shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county in the state at least eight successive weeks next preceeding the day hereby appointed for such election on the amendment hereby proposed by this Act to be submitted to the qualified electors of the State of Alabama for their consideration, together with the proposed amendment.

Section 6. That at said election on the amendment proposed by this Act to be submitted to the qualified electors of the state for their consideration to be held as herein provided, the qualified electors shall vote upon said amendment, and the official ballots printed for such election shall be printed the following, namely: "Shall the following be adopted as an amendment to the Constitution of Alabama?"

The municipality of the City of Gadsden may through its governing authority in addition to the taxes which it is now allowed by the constitution to levy and collect, to levy and collect an additional tax of not exceeding ($\frac{1}{2}$ of 1%) one-half of one percent per annum in such amounts and to be devoted to such purposes as may be designated by its authorized governing authorities and voted by the qualified electors at an election called for the purpose by its governing authority; provided that the total levy and collection shall not exceed one and one-half per centum (1 and $\frac{1}{2}$ %) in any one year, on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending September 30th, next succeeding the levy. That the municipalities of Attalla, Union Springs, Albertville, Guntersville, Arab, Boaz and Bridgeport through their governing authority shall have the power and right to levy and to collect a tax of ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year on property situated therein, based on the valuation of such property as assessed for taxation for the tax year ending on the thirtieth day of September next succeeding the levy; provided that for the purpose of paying bonds and indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds and indebtedness which may be issued or incurred after the adoption of this amendment and the interest thereon, an additional tax of ($\frac{1}{2}$ of 1%) may be levied and collected by said corporations; provided, further that a majority of qualified electors of any said municipal corporations voting at an election called for that purpose may vote a special tax not to exceed ($\frac{1}{2}$ of 1%) one-half of one per cent in any one year on the taxable property situated therein.

Such tax shall be levied upon the value of the property situated in said municipality as assessed, as provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution, provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power or authority or right of any of said municipal corporations to levy and collect the special school tax now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in addition to the taxes herein provided in each of said municipalities. Following

the proposed amendment on the ballot, shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark by him or under his direction opposite the word expressing his desire.

Section 7. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the state, and the election shall be held in all things in accordance with the law governing general elections, and with the constitutional provision concerning amendments to that instrument.

Section 8. That the votes cast at said election shall be counted, canvassed and tabulated, and returned made to the Secretary of State in the same manner as in the election of representatives to the Legislature. And if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid and all intents and purposes as a part of the Constitution of the State of Alabama, the result of such election shall be made known by the proclamation of the Governor.

Section 9. The expenses of the election herein provided and the cost of the publication of the notices shall be paid in the same manner as the expenses of other elections for the adoption of amendments to the Constitution of the State.

This act shall take effect upon its passage and approval by the Governor.

As amended by the substitute as amended was read a third time at length and passed.

Yeas, 77; Nays, 0.

Yeas:

Messrs:

Adcock	Fite	Jones (Bullock)	Pegues
Anderson	Frey	Jones (Cleburne)	Pitts
Ashcraft	Golson	Jordan (Etowah)	Powell
Baldwin	Goode	Lee	Quillin
Bartlett	Goodwyn	Lovelace	Rankin
Beebe	Graves	Luck	Rivers
Bryant	Green	McAdory	Rogers (Mobile)
Burleson	Grove	Matthews	Sanders (Conecuh)
Burns	Guy	Merrill	Sanders (Pike)
Ryars	Harwood	Miller (Marengo)	Shepherd
Carter	Hightower	Miller (Sumter)	Simpson
Cockrell	Hollis	Mullen	Smith
Cook	Howell	Ninner	Starnes
Darden	Hubbard	Norman	Stephens
Deloney	Hughes	Owens	Stewart (Bibb)
Denson	Jeter	Parish	Stewart (Calhoun)
Edwards	Johnson	Patterson	Thompson

Tompkins
Waddell
Wallace

Ward (Geneva) Ware
Ward (Tuscaloosa) Webb

Weldon
Winn

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Which was a three fifths vote of the whole number elected to the House.

And on motion of Mr. Jordan of Etowah, the bill H. 471, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Bills and ordered same sent forthwith to the House without Engrossment:
By Mr. Craft:

S. 541. To provide for the employment of legal services upon contest of the validity of last will and testaments; to fix the fee or remuneration for such services and to make the same a charge against the estate of decedents.

By Mr. Craft:

S. 510. To amend Section 6503 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate standing committees as follows:

Judiciary, S. 541.

Local Legislation, S. 510.

BILLS ON THIRD READING

S. 395. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Was read a third time at length and passed.

Yeas, 57; Nays, 15.

Yeas:

Messrs:

Adcock
Allen
Anderson
Ashcraft
Brunson
Burns
Byars
Christian

Cook
Darden
Denson
Edmundson
Edwards
Frey
Goode
Goodwyn

Graves
Green
Grove
Guy
Harwood
Hawkins
Hightower
Hubbard

Hughes
Jeter
Jones (Bullock)
Kirkpatrick
Langdon
Luck
McAdory
Matthews

Merrill	Parish	Rogers (Mobile)	Vickers
Miller (Marengo)	Patterson	Sanders (Pike)	Waddell
Miller (Sumter)	Pegues	Simpson	Wallace
Moxley	Pitts	Smith	Ware
Mullen	Powell	Stewart (Calhoun)	Webb
Nipper	Rivers	Tompkins	Winn
Norman			

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*Nays:**Messrs:*

Baldwin	Cannon	Johnson	Stephens
Bartlett	Cockrell	Jones (Cleburne)	Thompson
Bryant	Hollis	Quillin	Weldon
Burleson	Howard	Ringer	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the following House Bill:

H. 318. In relation to the Educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

Said Conference report being in the following words and figures to-wit:

REPORT OF JOINT CONFERENCE COMMITTEE ON HOUSE BILL
NO. 318**To the House and Senate:**

We, your Joint Conference Committee, on the part of the Senate and House, on House Bill No. 318, beg leave to submit the following report to-wit:

1. We recommend that the House concur in the Senate amendment, striking out Section 31 of said Bill No. 318, which reads as follows:

"Section 31. That the sums hereby appropriated shall be payable on the approval of the Governor, in whole or in part from time to time as in his opinion the condition of the Treasury may warrant."

2. We further recommend that said House Bill No. 318 be further amended by the Senate as follows:

(a) By adding to Section 12 thereof at the end of the first sentence in said section appearing in the third line of Page 7 of the engrossed Bill No. 318, and as a part thereof, the following:

"Provided that nothing in this Act shall be construed as making duplicate appropriations for any of the purposes covered by acts or by code provisions which have been previously enacted or adopted by the Legislature or by any codification of laws which may hereafter be adopted by the present Legislature."

(b) That the following be added as Section 14½ of said bill:

"Section 14½. That the sums appropriated by Sections 13 and 14 of this Act shall be payable in whole or in part, from time to time, on the approval of the Governor, as in his opinion the condition of the Treasury may warrant; provided that when any such sums are approved for payment by the Governor the same shall be prorated among the several purposes or institutions and be made payable to each purpose or institution for which appropriation is made in said sections in proportion to the amount appropriated to each such purpose or institution in said sections; provided further that the balances or all of the appropriations made by said sections, which are not approved for payment by the Governor during the year for which the provisions of said sections make them available, may be approved for payment by the Governor during any subsequent year; and provided further that all or any part of the appropriations made in said sections which remain unpaid at the end of the period for which they are made shall be and are hereby continued in full force and effect until paid in full in the manner provided in this section."

3. We also further recommend that the Senate adopt each of the above amendments and pass said House Bill No. 318 as thus amended.

4. We further recommend that the House concur in each of said amendments to said House Bill No. 318, when said amendments have been adopted, and said bill has been passed by the Senate as amended.

Respectfully submitted,
W. B. Nolen,
L. H. Ellis,
W. H. Mitchell,
Committee on part of the Senate.
George Frey,
A. M. Tunstall,
T. B. Ward,
Committee on part of the House.

And said bill, H. B. 318, as thus amended by the report of the Committee of Conference, was again read a third time at length and passed by the Senate.

And said bill, together with the Conference report, is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Ward of Tuscaloosa the House concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 318.

Said report of said Committee of Conference being set out in the above and foregoing Message from the Senate.

Yeas, 82; Nays, 0.

Yeas:

Messrs.:			
Adcock	Frey	Lee	Rivers
Anderson	Goode	Lovelace	Rogers (Mobile)
Ashcraft	Goodwyn	Luck	Sanders (Conecuh)
Baldwin	Graves	McAdory	Sanders (Pike)
Bartlett	Green	Matthews	Shepherd
Beebe	Grove	Merrill	Smith
Brunson	Guy	Miller (Marengo)	Starnes
Bryant	Harwood	Miller (Sumter)	Stephens
Burleson	Hawkins	Molette	Stewart (Calhoun)
Burns	Hightower	Moxley	Thompson
Byars	Hollis	Mullen	Tompkins
Cannon	Howard	Nipper	Tunstall
Christian	Hubbard	Norman	Vickers
Cockrell	Hughes	Patterson	Waddell
Cook	Jeter	Pegues	Wallace
Darden	Johnson	Pitts	Ward (Tuscaloosa)
Deloney	Jones (Bullock)	Powell	Ware
Denson	Jones (Cleburne)	Quillin	Webb
Edmundson	Jordan (Etowah)	Rankin	Weldon
Edwards	Jordan (Washington)	Ringer	Winn
Fite	Kirkpatrick		

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And said Bill:

H. 318. In relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

As thus amended was again read a third time at length and passed.

Yeas, 82; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Lee	Rivers
Anderson	Goode	Lovelace	Rogers (Mobile)
Ashcraft	Goodwyn	Luck	Sanders (Conecuh)
Baldwin	Graves	McAdory	Sanders (Pike)
Bartlett	Green	Matthews	Shepherd
Beebe	Grove	Merrill	Smith
Brunson	Guy	Miller (Marengo)	Starnes
Bryant	Harwood	Miller (Sumter)	Stephens
Burleson	Hawkins	Molette	Stewart (Calhoun)
Burns	Hightower	Moxley	Thompson
Byars	Hollis	Mullen	Tompkins
Cannon	Howard	Nipper	Tunstall
Christian	Hubbard	Norman	Vickers
Cockrell	Hughes	Patterson	Waddell
Cook	Jeter	Pegues	Wallace
Darden	Johnson	Pitts	Ward (Tuscaloosa)
Deloney	Jones (Bullock)	Powell	Ware
Denson	Jones (Cleburne)	Quillin	Webb
Edmundson	Jordan (Etowah)	Rankin	Weldon
Edwards	Jordan (Washington)	Ringer	Winn
Fite	Kirkpatrick		

—82

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 725. To make appropriation to the Alabama Polytechnic Institute in lieu of certain other appropriations and revenues, the benefit of which said Alabama Polytechnic Institute has heretofore received or secured.

H. 960. To adopt the code of laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927 (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama.

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12, of an Act entitled, "An Act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collections and payment of such tax and the distribution of

the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this act, approved Feb. 10, 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for a violation of the provisions hereof.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers of Mobile the House concurred in and adopted the Senate amendment to the Bill H. 377. Said Senate amendment being as follows:

Amend House Bill 377 by striking therefrom paragraph 8 of Section 5.

Further amend by striking therefrom paragraph 7 of Section 7.

Further amend by striking Sub-section E of Section 8.

Further amend by striking from paragraph 7 of Section 9, the following words: "together with a bond in the sum of One Hundred Dollars (\$100.00)"

Further amend by striking the words: "of sixty days or more" from paragraph 5 of Section 5.

Further amend by substituting the word "designate" for the word "maintain" where it appears in the first line of paragraph 8 of Section 7.

Yeas, 67; Nays, 0.

Yeas:

Messrs.:

Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Bryant

Burleson
Burns
Byars
Cannon
Christian
Cockrell
Cook
Darden

Deloney
Denson
Edwards
Fite
Frey
Goode
Goodwyn
Graves

Green
Grove
Harwood
Hawkins
Hightower
Hollis
Howard
Hughes

Jeter	McAdory	Patterson	Simpson
Johnson	Matthews	Pegues	Starnes
Jones (Bullock)	Merrill	Pitts	Stephens
Jones (Cleburne)	Miller (Marengo)	Quillin	Stewart (Calhoun)
Jordan (Etowah)	Miller (Sumter)	Rankin	Thompson
Jordan (Washington)	Molette	Ringer	Vickers
Lee	Mullen	Rogers (Mobile)	Weldon
Lovelace	Nipper	Sanders (Pike)	Winn
Luck	Norman	Sanderson	

—67

BILL ON THIRD READING

H. 809. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature.

Was read a third time at length and lost.

Yeas, 34; Nays, 44.

Yeas:

Messrs.:

Mr. Speaker

Allen

Beebe

Bryant

Byars

Darden

Denson

Fite

Goode

Goodwyn

Grove

Hawkins

Hughes

Jeter

Johnson

Jones (Bullock)

Langdon

Lovelace

Luck

McAdory

Miller (Marengo)

Norman

Pitts

Rogers (Mobile)

Simpson

Smith

Starnes

Stephens

Vickers

Waddell

Wallace

Ward (Tuscaloosa)

Weldon

Winn

—34

Nays:

Messrs.:

Adcock

Anderson

Ashcraft

Baldwin

Bartlett

Brunson

Burleson

Burns

Cannon

Carter

Christian

Cockrell

Cook

Deloney

Edwards

Golson

Green

Hightower

Hollis

Howard

Howell

Hubbard

Jones (Cleburne)

Jordan (Etowah)

Kirkpatrick

Lee

Matthews

Miller (Sumter)

Molette

Mullen

Nipper

Pegues

Quillin

Rankin

Reeder

Rivers

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Stewart (Calhoun)

Tompkins

Ward (Geneva)

Ware

Webb

—44

H. 805. To amend Section one of Article 11 of an Act entitled "An Act to provide a complete educational system for the State of Alabama," approved September 26, 1919.

Was read a third time at length and passed.

Yeas, 77; Nays, 0.

Yeas:

Messrs:

Adcock	Golson	Langdon	Sanders (Conecuh)
Allen	Goode	Lawler	Sanders (Pike)
Anderson	Goodwyn	McAdory	Sanderson
Ashcraft	Green	Matthews	Shepherd
Baldwin	Grove	Miller (Marengo)	Simpson
Bartlett	Guy	Miller (Sumter)	Smith
Beebe	Hampton	Molette	Starnes
Bryant	Harwood	Moxley	Stephens
Burleson	Hightower	Mullen	Stewart (Bibb)
Burns	Hollis	Nipper	Stewart (Calhoun)
Byars	Howard	Norman	Thompson
Cannon	Hubbard	Parish	Tompkins
Carter	Hughes	Patterson	Vickers
Christian	Jeter	Pegues	Wallace
Cockrell	Jones (Bullock)	Pitts	Ward (Geneva)
Cook	Jones (Cleburne)	Quillin	Ward (Tuscaloosa)
Darden	Jordan (Etowah)	Rankin	Ware
Deloney	Jordan (Washington)	Rivers	Weldon
Edwards	Kirkpatrick	Rogers (Mobile)	Winn
Fite			

—77

On motion of Mr. Hughes the Bill H. 805 was sent to the Senate without engrossment.

H. 34. (With substitute) To make appropriations to the Alabama Boys Industrial School.

Was taken. The question was upon the adoption of the substitute reported by the Standing Committee on Appropriations. Said substitute being as follows:

Substitute By Committee on Appropriations to House Bill 34:

A Bill to be entitled an Act to make appropriations to the Alabama Boys Industrial School.

Section 1. Be it enacted by the legislature of Alabama that the sum of three hundred and sixty (\$360.00) dollars per year for each inmate of the Alabama Boys Industrial School, is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for each of the years of the quadrennium, beginning October 1, 1927, and ending September 30, 1931, and the state Auditor is hereby authorized and directed to draw his warrant quarterly on the State Treasury in favor of the treasurer of the Alabama Boys Industrial School for the payment of the amounts due said school; said amounts to be determined by affidavit of the Superintendent or Treasurer of said school at the beginning of each quarter, which affidavits shall show the number of inmates of said school, who were in said school on the last day of said quarter.

Section 2. That there is hereby further appropriated for the fiscal year beginning October 1, 1928, the sum of Forty-one Thousand, Six Hundred and sixty-six dollars (\$41,666.66) and sixty-six cents for the purchase of land, and for the erection and

equipment of buildings, and for the purchase of machinery, and for the purchase of equipment of vocational training, and for improvements and repairs; and there is also hereby appropriated, for the same purpose, a like sum of forty-one thousand, six hundred and sixty six dollars (\$41,666.66) and sixty six cents, for the fiscal year beginning October 1, 1929; and there is also hereby appropriated, for the same purpose, a sum of forty-one thousand, six hundred and sixty-six dollars (\$41,666.66) and sixty-six cents, for the fiscal year beginning October 1, 1930. The sums so appropriated for the purchase of land and for the erectment of buildings and for the purchase of machinery, and for the purchase of equipment for vocational training, and for improvements and repairs, shall be paid out under the authority of the board of directors of said school, and the State Auditor is hereby authorized and directed to draw his warrant on the State Treasury for the amount of said appropriations upon requisition of the Governor.

Section 3. That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

And the substitute was adopted.

Yeas, 75; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Luck	Sanders (Pike)
Allen	Goode	McAdory	Sanderson
Anderson	Goodwyn	Matthews	Shepherd
Ashcraft	Green	Merrill	Shivers
Bartlett	Grove	Miller (Marengo)	Simpson
Beebe	Harwood	Miller (Sumter)	Smith
Bryant	Hawkins	Molette	Starnes
Burleson	Hightower	Morrow	Stephens
Burns	Hollis	Norman	Stewart (Calhoun)
Byars	Howard	Parish	Thompson
Cannon	Hubbard	Patterson	Tompkins
Carter	Jeter	Pegues	Vickers
Christian	Johnson	Pitts	Waddell
Cockrell	Jones (Bullock)	Powell	Wallace
Deloney	Jones (Cleburne)	Rankin	Ward (Geneva)
Denson	Jordan (Washington)	Ringer	Ware
Edmundson	Kirkpatrick	Rivers	Weldon
Edwards	Langdon	Rogers (Mobile)	Winn
Fite	Lovelace	St. John	

—75

And said Bill:

H. 34. To make appropriations to the Alabama Boys Industrial School.

As amended by the substitute reported by the Standing Committee on Appropriations was read a third time at length and passed.

Yeas, 77; Nays, 0.

Yeas:

Messrs.:

Adcock	Goode	Lovelace	Rivers
Allen	Goodwyn	Luck	Sanders (Pike)
Anderson	Green	McAdory	Sanderson
Ashcraft	Grove	Merrill	Shepherd
Baldwin	Harwood	Miller (Marengo)	Shivers
Bartlett	Hawkins	Miller (Sumter)	Simpson
Beebe	Hightower	Molette	Smith
Bryant	Hollis	Morrow	Starnes
Burns	Howard	Moxley	Stephens
Cannon	Hubbard	Nipper	Stewart (Calhoun)
Carter	Hughes	Norman	Thompson
Christian	Jeter	Owens	Tompkins
Cockrell	Johnson	Parish	Tunstall
Cook	Jones (Bullock)	Pegues	Vickers
Darden	Jones (Clebune)	Pitts	Wallace
Deloney	Jordan (Etowah)	Powell	Ward (Geneva)
Denson	Jordan (Washington)	Quillin	Ware
Edwards	Kirkpatrick	Rankin	Weldon
Fite	Langdon	Ringer	Winn
Frey			

—77

Mr. Goodwyn moved to reconsider the vote by which the Bill H. 34 was passed and then moved to table the motion to reconsider and the motion to table prevailed.

On motion of Mr. Goodwyn the Bill H. 34 was sent to the Senate without engrossment.

H. 770. To authorize the payment of taxes which may be in litigation, and the refunding of such taxes as may be ascertained to be erroneously or illegally paid.

Was read a third time at length and passed.

Yeas, 76; Nays, 0.

Yeas:

Messrs.:

Adcock	Golson	McAdory	Rogers (Mobile)
Allen	Goode	Matthews	Sanders (Conecuh)
Ashcraft	Goodwyn	Merrill	Sanders (Pike)
Baldwin	Green	Miller (Marengo)	Shivers
Bartlett	Grove	Miller (Sumter)	Simpson
Beebe	Hawkins	Molette	Smith
Bryant	Hightower	Morrow	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Norman	Stewart (Bibb)
Carter	Hughes	Owens	Stewart (Calhoun)
Christian	Jeter	Parish	Thompson
Cockrell	Johnson	Patterson	Tompkins
Cook	Jones (Clebune)	Pegues	Tunstall
Deloney	Jordan (Etowah)	Pitts	Vickers
Denson	Jordan (Washington)	Powell	Wallace
Edmundson	Kirkpatrick	Quillin	Ward (Geneva)
Edwards	Langdon	Rankin	Ward (Tuscaloosa)
Fite	Lovelace	Ringer	Weldon
Frey	Luck	Rivers	Winn

—78

And on motion of Mr. Tunstall the Bill H. 770 was ordered sent to the Senate without Engrossment.

H. 1122. To adopt the code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education."

Was taken up.

Mr. Baldwin offered the following amendment.

AMENDMENT TO HOUSE BILL 1122

By Baldwin:

Amend House Bill No. 1122 providing for the adoption of the School Code so that Section 131 of said Code shall read as follows:

Section 131. Any political party may, in a county where the county superintendent is elected by a direct vote of the qualified electors, either nominate a candidate for such office or may certify to the probate judge that said political party desires to leave the election of a county superintendent of education to the county board of education. Whenever any political party certifies that such political party desires to leave the selection of such officer to the county board of education the probate judge shall cause to be entered on the ballot where the names of such candidates (if nominated) would appear, the following, to-wit: "For selection by the county board of education". Such proposition shall appear on the ballot before the names of the candidates and be arranged so that the elector may express his choice for such proposition in the same manner as he expresses his choice for a candidate. Every qualified elector may vote for such selection by the county board of education or any candidate for such office. In the event more votes are cast for selection by the county board of education than for any candidate, then the county board shall select such officer for the ensuing term. No elector shall be disqualified from participating in any party caucus, convention or election because he voted for the proposition of selection by the county board of education even though his political party nominated a candidate for such position. And in any county where the county superintendent of education is not elected by a direct vote of the qualified electors of such county, upon petition signed by 10% of the qualified electors of such county, presented to the probate judge thereof thirty days before any general, special or primary election requesting the submission of the proposition of the election of the county superintendent of education to the qualified electors of said county, the probate judge shall cause to be entered on the ballot to be used at said general, special or

primary election the following words, to-wit: "For the election of a county superintendent of education by direct vote of the qualified electors", and "Against the election of a county superintendent of education by direct vote of the qualified electors". The voter, at such general, special or primary election, shall make a (X) cross mark before the proposition which expresses his choice. In the event a majority of the votes cast, at such general, special or primary election, is in favor of electing a county superintendent of education by the qualified electors of said county, then there shall be elected at the next general election a county superintendent of education who shall hold office for a term of five years from the second Tuesday in January after such election and until his successor is elected and qualified and the salary of such county superintendent of education shall be fixed and paid as now provided by law. If the term of office of the county superintendent of education of such county shall expire before the general election next after the general, special or primary election at which said proposition was so voted upon, then the county board of education of such county shall appoint a county superintendent of education who shall fill said vacancy and who shall hold office until the second Tuesday in January next after said general election and until his successor qualifies.

And on motion of Mr. Ward of Tuscaloosa the amendment offered by Mr. Baldwin was laid upon the table.

Yeas, 49; Nays, 35.

Yeas:

Messrs.:

Allen	Denson	Jones (Cleburne)	Rivers
Anderson	Fite	Jordan (Washington)	Rogers (Mobile)
Ashcraft	Goode	Kirkpatrick	St. John
Bartlett	Grove	Lovelace	Shivers
Beebe	Guy	Matthews	Simpson
Bryant	Harwood	Miller (Marengo)	Stephens
Burleson	Hawkins	Miller (Sumter)	Stewart (Bibb)
Burns	Hollis	Molette	Stewart (Calhoun)
Carter	Howard	Mullen	Vickers
Cockrell	Hubbard	Nipper	Ward (Tuscaloosa)
Cook	Hughes	Norman	Webb
Darden	Jones (Bullock)	Pegues	Winn
Deloney			

—49

Nays:

Messrs:

Adcock	Hightower	Parish	Starnes
Baldwin	Jeter	Pitts	Thompson
Brunson	Johnson	Quillin	Tompkins
Byars	Jordan (Etowah)	Rankin	Tunstall
Cannon	Langdon	Ringer	Wallace
Christian	Lawler	Sanders (Conecuh)	Ward (Geneva)
Edwards	Merrill	Sanders (Pike)	Ware
Golson	Moxley	Shepherd	Weldon
Hampton	Owens	Smith	

—35

Mr. Darden offered the following amendment to the Bill:

Amend the bill by adding the following section:

"That no provision in the code shall repeal any local law relative to selection of a county superintendent of Education."

And the amendment offered by Mr. Darden was adopted.

Yeas, 68; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Kirkpatrick	Rivers
Adcock	Fite	Luck	Rogers (Mobile)
Allen	Frey	McAdory	Sanders (Conecuh)
Anderson	Golson	Matthews	Sanders (Pike)
Ashcraft	Goode	Merrill	Simpson
Beebe	Grove	Miller (Marengo)	Smith
Brunson	Harwood	Miller (Sumter)	Starnes
Bryant	Hawkins	Molette	Stephens
Burleson	Hightower	Mullen	Stewart (Bibb)
Burns	Hollis	Nipper	Stewart (Calhoun)
Byars	Howard	Owens	Thompson
Cannon	Howell	Parish	Tompkins
Carter	Johnson	Patterson	Vickers
Cockrell	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Cook	Jones (Cleburne)	Pitts	Ware
Darden	Jordan (Etowah)	Quillin	Webb
Denson	Jordan (Washington)	Ringer	Winn

—68

Mr. Baldwin offered the following amendment to the Bill:

AMENDMENT TO HOUSE BILL 1122

By Mr. Baldwin:

Amend House Bill No. 1122 providing for the adoption of the School Code by adding the following section and which reads as follows:

Section 1321½. In any county where the county superintendent of education is not elected by a direct vote of the qualified electors of such county, upon petition signed by ten per centum (10%) of the qualified electors of such county, presented to the probate judge thereof thirty days before any general, special or primary election requesting the submission of the proposition of the election of the county superintendent of education to the qualified electors of said county, the probate judge shall cause to be entered on the ballot to be used at said general, special or primary election the following words, to-wit: "For the election of a county superintendent of education by direct vote of qualified electors", and "Against the election of a county superintendent of education by direct vote of the qualified electors". The voter, at such general, special or primary election, shall make a (X) cross mark before the proposition which expresses his choice. In

the event a majority of the votes cast, at such general, special or primary election, is in favor of electing a county superintendent of education by the qualified electors of said county, then there shall be elected at the next general election a county superintendent of education who shall hold office for a term of four years from the second Tuesday in January after such election and until his successor is elected and qualified and the salary of such county superintendent of education shall be fixed and paid as now provided by law. If the term of office of the county superintendent of education of such county shall expire before the general election next after the general, special or primary election at which said proposition was so voted upon, then the county board of education of such county shall appoint a county superintendent of education who shall fill said vacancy and who shall hold office until the second Tuesday in January next after said general election and until his successor qualifies.

And the amendment was lost.

Yeas, 29; Nays, 54.

Yeas:

Messrs:

Adcock	Hightower	Quillin	Starnes
Baldwin	Johnson	Rankin	Stewart (Calhoun)
Brunson	Langdon	Ringer	Thompson
Byars	Merrill	Sanders (Conecuh)	Tompkins
Cannon	Owens	Sanders (Pike)	Wallace
Edwards	Parish	Shepherd	Ward (Geneva)
Golson	Pitts	Smith	Ware
Hampton			

—29

Nays:

Messrs:

Allen	Edmundson	Jones (Bullock)	Pegues
Anderson	Fite	Jones (Cleburne)	Powell
Ashcraft	Frey	Jordan (Washington)	Rogers (Mobile)
Bartlett	Goode	Kirkpatrick	Sanderson
Beebe	Goodwyn	Lovelace	Shivers
Bryant	Graves	Matthews	Simpson
Burleson	Green	Miller (Marengo)	Stephens
Burns	Grove	Miller (Sumter)	Stewart (Bibb)
Carter	Guy	Molette	Vickers
Christian	Hawkins	Mullen	Waddell
Cockrell	Hollis	Nipper	Ward (Tuscaloosa)
Cook	Howard	Norman	Webb
Darden	Hubbard	Patterson	Winn
Deloney	Hughes		

—54

And said Bill:

H. 1122. To adopt the code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision,

codification, digesting and promulgation of the public statutes of Alabama relating to education."

As amended was read a third time at length and passed.

Yeas, 73; Nays, 2.

Yeas:

Messrs.:

Adcock	Frey	Kirkpatrick	Rankin
Allen	Golson	Luck	Rivers
Anderson	Goode	McAdory	Rogers (Mobile)
Ashcraft	Goodwyn	Matthews	Sanders (Pike)
Bartlett	Graves	Merrill	Sanderson
Beebe	Green	Miller (Marengo)	Simpson
Brunson	Grove	Miller (Sumter)	Starnes
Burleson	Guy	Molette	Stephens
Burns	Hawkins	Moxley	Stewart (Bibb)
Cannon	Hightower	Mullen	Stewart (Calhoun)
Carter	Hollis	Nipper	Thompson
Christian	Howard	Norman	Tompkins
Cockrell	Hubbard	Owens	Vickers
Cook	Hughes	Parish	Waddell
Darden	Jeter	Patterson	Ward (Geneva)
Deloney	Johnson	Pegues	Ward (Tuscaloosa)
Denson	Jordan (Etowah)	Pitts	Webb
Edwards	Jordan (Washington)	Powell	Winn
Fite			

—73

Nays:—Messrs. Baldwin and Ringer—2.

Mr. Ward of Tuscaloosa moved to reconsider the vote by which the Bill H. 1122 was passed and then moved to table the motion to reconsider and the motion to table prevailed.

And said Bill was ordered sent to the Senate without engrossment.

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, and to provide for the salary of said judge.

Was read a third time at length and passed.

Yeas, 76; Nays, 3.

Yeas:

Messrs.:

Adcock	Carter	Frey	Hightower
Allen	Christian	Golson	Howard
Anderson	Cockrell	Goode	Hubbard
Ashcraft	Darden	Goodwyn	Hughes
Baldwin	Deloney	Graves	Jeter
Bartlett	Denson	Green	Johnson
Beebe	Edmundson	Grove	Jones (Bullock)
Burleson	Edwards	Hampton	Jones (Cleburne)
Byars	Fite	Hawkins	Jordan (Etowah)

Jordan (Washington)	Molette	Sanders (Conecuh)	Tompkins
Kirkpatrick	Morrow	Sanders (Pike)	Tunstall
Langdon	Mullen	Sanderson	Vickers
Lawler	Nipper	Shepherd	Waddell
Luck	Parish	Simpson	Wallace
McAdory	Patterson	Smith	Ward (Geneva)
Matthews	Pegues	Starnes	Ward (Tuscaloosa)
Merrill	Pitts	Stephens	Ware
Miller (Marengo)	Rivers	Stewart (Calhoun)	Webb
Miller (Sumter)	Rogers (Mobile)	Thompson	Winn

—76

Nays:

Messrs:

Burns

Cannon

Hollis

—3

On motion of Mr. Merrill the Bill H. 862 was sent to the Senate without engrossment.

H. 64. To make an appropriation for the purpose of paying the amount due on property purchased by the State for the use of the State Training School for Girls.

Was read a third time at length and passed.

Yeas, 84; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker

Adcock

Allen

Anderson

Ashcraft

Baldwin

Bartlett

Beebe

Bryant

Burns

Byars

Cannon

Carter

Christian

Cockrell

Darden

Deloney

Denson

Edmundson

Edwards

Fite

Frey

Golson

Goode

Goodwyn

Graves

Green

Grove

Guy

Hampton

Hawkins

Hightower

Hollis

Howard

Hubbard

Hughes

Jeter

Johnson

Jones (Bullock)

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Langdon

Lovelace

Luck

McAdory

Matthews

Miller (Marengo)

Miller (Sumter)

Molette

Morrow

Mullen

Nipper

Parish

Patterson

Pegues

Pitts

Powell

Quillin

Rankin

Ringer

Rivers

Rogers (Mobile)

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shepherd

Simpson

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Thompson

Tunstall

Vickers

Waddell

Wallace

Ward (Geneva)

Ward (Tuscaloosa)

Ware

Webb

Weldon

—84

On motion of Mr. Deloney the Bill H. 64 was sent to the Senate without engrossment.

H. 405. To further define the business of mutual aid, benefit and industrial insurance companies or associations.

Was read a third time at length and passed.

Yeas, 70; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Kirkpatrick	Ringer
Adcock	Edwards	Lawler	Rivers
Allen	Fite	Lee	Rogers (Mobile)
Anderson	Frey	Lovelace	Sanders (Pike)
Ashcraft	Golson	McAdory	Shivers
Baldwin	Green	Matthews	Simpson
Bartlett	Grove	Merrill	Smith
Beebe	Harwood	Miller (Marengo)	Starnes
Bryant	Hightower	Molette	Stephens
Burleson	Hollis	Moxley	Stewart (Calhoun)
Burns	Howard	Mullen	Thompson
Byars	Hubbard	Nipper	Tompkins
Cannon	Hughes	Patterson	Vickers
Carter	Jeter	Pegues	Waddell
Cockrell	Johnson	Powell	Wallace
Cook	Jones (Cleburne)	Quillin	Ward (Geneva)
Darden	Jordan (Etowah)	Rankin	Webb
Deloney	Jordan (Washington)		

—70

On motion of Mr. Moxley the Bill H. 405 was ordered sent to the Senate without engrossment.

H. 575. For the relief of S. M. Reeves, former sheriff of Pike County, Alabama.

Was read a third time at length and passed.

Yeas, 81; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Kirkpatrick	Rivers
Adcock	Golson	Lee	Rogers (Mobile)
Allen	Goode	Lovelace	Sanders (Pike)
Ashcraft	Goodwyn	McAdory	Sanderson
Baldwin	Green	Matthews	Shepherd
Bartlett	Grove	Merrill	Simpson
Beebe	Guy	Miller (Marengo)	Smith
Brunson	Hampton	Miller (Sumter)	Starnes
Bryant	Harwood	Molette	Stephens
Burleson	Hawkins	Morrow	Stewart (Bibb)
Burns	Hightower	Moxley	Stewart (Calhoun)
Byars	Hollis	Mullen	Thompson
Carter	Howard	Nipper	Tunstall
Christian	Hubbard	Norman	Vickers
Cockrell	Hughes	Parish	Waddell
Darden	Jeter	Patterson	Wallace
Deloney	Johnson	Pitts	Ward (Geneva)
Denson	Jones (Cleburne)	Powell	Ward (Tuscaloosa)
Edmundson	Jordan (Etowah)	Quillin	Ware
Edwards	Jordan (Washington)	Ringer	Webb
Fite			

—81

On motion of Mr. Hubbard the Bill H. 575 was ordered sent to the Senate without engrossment.

H. 474. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the appointment and

election of an incumbent thereof; and to prescribe the jurisdiction, power, authority, qualifications, duties and compensation of such incumbent.

Was read a third time at length and passed.

Yeas, 64; Nays, 18.

Yeas:

Messrs.:

Adcock	Goodwyn	Lawler	Ringer
Allen	Grove	Luck	Rivers
Anderson	Hampton	McAdory	Rogers (Mobile)
Baldwin	Harwood	Matthews	Sanders (Conecuh)
Bartlett	Hawkins	Merrill	Sanderson
Beebe	Hightower	Miller (Marengo)	Shepherd
Brunson	Hollis	Miller (Sumter)	Smith
Burleson	Howard	Molette	Starnes
Burns	Hubbard	Morrow	Stephens
Carter	Jeter	Mullen	Stewart (Calhoun)
Cockrell	Jones (Bullock)	Nipper	Thompson
Darden	Jones (Cleburne)	Parish	Tompkins
Deloney	Jordan (Etowah)	Patterson	Wallace
Denson	Jordan (Washington)	Pegues	Ware
Frey	Kirkpatrick	Pitts	Webb
Goode	Langdon	Quillin	Weldon

—64

Nays:

Messrs:

Ashcraft	Fite	Powell	Vickers
Bryant	Green	Rankin	Waddell
Cannon	Lee	Rogers (Elmore)	Ward (Geneva)
Edmundson	Lovell	Simpson	Ward (Tuscaloosa)
Edwards	Norman		

—18

Mr. Frey moved to reconsider the vote by which the Bill H. 474 was passed and then moved to table the motion to reconsider and the motion to table prevailed. And on motion of Mr. Frey, the Bill H. 474 was sent to the Senate without Engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 362. To provide for the formation of Districts for the building and maintaining of public roads in Baldwin County, Alabama, by the County Commissioners, Board of Revenue, or Body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, lessees for a

term of twenty years or longer to be considered as owners; for the giving of notice of said application and the hearing and passing on same by said Board, formation of a Commission for the Road District, consisting of the Board of County Commissioners, or like body, as ex-officio members thereof, and providing for their duties in connection with the plans specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission; for the payment by the county of the preliminary expense of organization, including advertisement, and assessors for first assessment; for the appointment of a Board of Assessors by said County Commissioners to assess against the lands in said district the amount to be collected for the construction of the road or roads and other expenses not in excess of the improved value of said land by reason of special benefits derived from said improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation; To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment, That at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain on the petition, it must make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seal; that the order of the Board establishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements; for the naming of the district, and that it shall become a body politic and cor-

porate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district; for the taking of oath of office by the Board of Commissioners for the organization of the Board, election of its officers and that they shall receive expenses while engaged on business for the district out of the county. Said amount to be paid out of the funds of the Road Improvement District. They are also authorized to engage the necessary attorneys engineers, and other agents for carrying out the improvements, contemplated, and fix their pay; that as soon as the Commissioners have formulated the plans for the road or roads of the district, and ascertained the cost thereof they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district; for time of meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal, if necessary by the Board of County Commissioners, and pay to be fixed by the same body of not exceeding \$5.00 per day; for assessment book, manner of assessing, and maximum amount, not exceeding benefits as aforesaid; for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said court; that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal; appeal by aggrieved party on filing affidavit within ten days; for the embracing of other land in the district, if benefited, and proceeding for the inclusion and assessment, which are similar to those for including land in the district as originally formed authorizing the Commissioners to make changes in plans and specifications for the route of the road or construction of laterals, or extensions within, or beyond the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a newspaper, calling on the land owners to appear and show cause if they can, why such changes should not be made, which Court can approve said report from which finding appeal can be taken as provided in Section 14; that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be

taken as provided in Section 14; authorizing the commissioners, not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished; that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the district, enter upon its record and order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten percent added for unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual installments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus compel the court to comply with this section; that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer; that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collections to be paid over by him to the treasurer of said county, or depository. Also provided for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should assessor fail to enter the assessment on tax book. Such penalty to be \$100.00 in each case; Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners which shall state amount and purpose for which it is issued, and be numbered consecutively in a book to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hand sufficient funds to pay all outstanding warrants bearing a lower number, and no contract or warrant shall

be made payable in anything but money; that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution; for the levy of additional assessments when necessary the total amount not to exceed amount of special benefits before stated; for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in re and it is immaterial if the ownership of the land is not correctly stated, but it shall have no force, except as against the land. Provides for giving of notice by publication, form of notice and complaint; for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost; provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year; authorizing the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds; giving the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and expend therefor such sums of

money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenue raised under this Act, by allowing to said district an equitable portion of the road funds available in the county. If a majority of the land owners, or acreage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said purpose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the Court for a hearing of said petition and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petition shall be determined in like manner, and if the court finds that the assessment of benefits in force at the time is unequal, or that it should be equalized or adjusted, the Court shall order a re-assessment of benefits which shall be made, advertised and confirmed in the manner specified in Section nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time, authorizing the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts as may be awarded them, with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in such contract. The amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five percent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor if to the best interest of the District, may purchase material and implements necessary to car-

ry on the work of improvement, employ agents to do it, under the direction of the State Highway, or some other competent engineer, that the Board of Commissioners shall cause the assessments to be made, levied, and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and as assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the overdue interest and then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decrees and deeds therein shall have the same presumption in favor of their legality, and when all such sums have been paid, the receiver shall be discharged and affairs conducted by the Board of Commissioners; that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie for one month and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be reexamined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed, and filed as a public document; that the Commissioners or assessors shall not be liable to any one for mistakes, errors, or judgment or negligence, but only for wilful misconduct in the discharge of their duties; making it a felony punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners or any other agent or employe, to corruptly use, or dispose of any bond or money derived from the sale thereof, or any fund of such district, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required; that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed in the laying out of roads hereunder; that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights of way for

railways, telegraph, and telephone companies, with the right of paying into the court a sum to be fixed by the court and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages such actions shall be consolidated, if practicable, and one jury shall assess the damages for all; that no appeal shall delay the proceedings for carrying out the improvements and it shall not affect the particular land involved, and if unsuccessful the party appealing shall pay the costs; that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special or adjourned term make any and all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law; that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any injunction otherwise issued shall be void; that the word Court as herein used unless otherwise specified in that connection, shall be taken to mean the Court of County Commissioners or Board of Revenue and Road Commissioners, or such body by whatever name called supplying the place of the court of county commissioner. The word commissioners refers to district commissioners, unless otherwise indicated; that bonds and coupons issued under and by authority of this Act shall be exempt from all State, county, or municipal taxation, or assessment, direct, or

indirect, general or special, whether imposed for purposes of general revenue or otherwise, and the interest thereon shall not be subject to taxation as for income, nor shall said bonds and coupons be subject to taxation when constituting a part of the surplus of any bond, trust company, or other corporation, but when constituting a part of such surplus, shall be deducted from the total assets in order to ascertain the taxable value of such shares. No municipaliy to be included in district except after election favoring same.

S. 374. To propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements againts the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactice and retrospective so as to ratify, confirm, and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 963. A Bill to be Entitled an Act to propose an Amendment to the Constitution of Alabama authorizing the County

of Jefferson, in addition to the taxes which it is now authorized and empowered to levy and collect, to levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following Amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed Amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this Amendment is proposed. The proposed Amendment is to add a new section as follows:

Article XI.

Section 215-A. In addition to the taxes which the County of Jefferson is now authorized and empowered to levy and collect, said County, through its board of Revenue or other governing body, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis. This section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the Amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each county of the State once a week for eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the treasury of the State in the same manner as the expenses of other elections are paid.

Was read a third time at length and passed.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Baldwin	Burns	Cockrell
Adcock	Beebe	Byars	Darden
Allen	Bryant	Cannon	Deloney
Ashcraft	Burleson	Carter	Denson

Edmundson	Hughes	Miller (Sumter)	Sanderson
Edwards	Jeter	Molette	Shepherd
Fite	Johnson	Morrow	Simpson
Frey	Jones (Cleburne)	Moxley	Smith
Golson	Jordan (Etowah)	Mullen	Starnes
Goode	Jordan (Washington)	Nipper	Stephens
Goodwyn	Kirkpatrick	Norman	Stewart (Bibb)
Grove	Langdon	Parish	Stewart (Calhoun)
Guy	Lawler	Patterson	Thompson
Hampton	Lee	Pegues	Tompkins
Harwood	Lovelace	Pitts	Vickers
Hawkins	Luck	Quillin	Waddell
Hightower	McAdory	Rankin	Wallace
Hollis	Matthews	Ringer	Ward (Tuscaloosa)
Howard	Merrill	Rivers	Webb
Hubbard	Miller (Marengo)	Rogers (Mobile)	Weldon

—80

On motion of Mr. Simpson the Bill H. 963 was sent to the Senate without engrossment.

H. 1035. A bill to be entitled an act to provide for and submit to the qualified electors of the State of Alabama at an election to be held at the next general election after the final adjournment of the present session of the Legislature, an amendment to the constitution of Alabama as follows:

"The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1: That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and

maintenance of a charity hospital or hospitals for the care and treatment of indigent persons.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3: That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of the State of Alabama:" "The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of charity hospital or hospitals for the care and treatment of indigent persons.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross-mark made by him, or under his direction, opposite the word expressing his desire.

Section 4: That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held under and in all things governed by and had in accordance with the Constitutional provisions touching amendments to the Constitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment

shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7: The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expenses of general elections are paid.

Was read a third time at length and passed.

Yeas, 72; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Lawler	Pitts
Adcock	Goode	Lee	Quillin
Anderson	Goodwyn	Lovelace	Rankin
Ashcraft	Green	Luck	Ringer
Baldwin	Grove	McAdory	Rivers
Bartlett	Harwood	Matthews	Rogers (Mobile)
Beebe	Hawkins	Merrill	Sanders (Pike)
Bryant	Hightower	Miller (Marengo)	Sanderson
Burleson	Hollis	Miller (Sumter)	Simpson
Burns	Howard	Molette	Smith
Byars	Hubbard	Morrow	Stephens
Cannon	Jeter	Moxley	Stewart (Calhoun)
Carter	Johnson	Mullen	Thompson
Cockrell	Jones (Bullock)	Nipper	Waddell
Deloney	Jones (Cleburne)	Norman	Wallace
Denson	Jordan (Etowah)	Parish	Ward (Geneva)
Edwards	Jordan (Washington)	Patterson	Ward (Tuscaloosa)
Fite	Kirkpatrick	Pegues	Webb

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On motion of Mr. Hawkins the Bill H. 1035 was sent to the Senate without engrossment.

BILLS ON SECOND READING

Mr. Ware, Chairman of the Standing Committee on Appropriations reported that said Committee in session had acted on the following Bills and ordered same returned to the House with a favorable report:

By Mr. Ringer:

H. 1020. To establish, regulate and provide for the government of a sheep department for the State of Alabama, and to appropriate moneys to pay the cost of its operation.

By Mr. Baldwin:

H. 1131. To authorize and provide for the payment of the sum of five thousand dollars (\$5000.00) for the relief of J. F. Clements of Montgomery County, who was injured on the 16th

day of October, 1910, while in line of duty with the National Guard of Alabama.

The above and foregoing bills were severally read a second time and placed on the Calendar.

BILLS ON THIRD READING

H. 180. (With substitute) To submit to the qualified electors of this State at a special election to be held at the call of the Governor, after ninety days from the final adjournment of this Legislature, for their consideration, an amendment to the Constitution for the purpose of authorizing the Jackson School District Number Seventy-two of Clarke County, and all other school districts which have been or may hereafter be consolidated with said Jackson district to levy and collect a tax, not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (A) of paying all of the outstanding bonds of the town of Jackson which were heretofore issued for the erection and equipment of a public school building, and (B) for other public school purposes, and to authorize an election within said districts for such purpose, to provide for the holding of such election within said districts, and to provide for the collection of such taxes.

Was taken up. The question was upon the adoption of the Substitute reported by the Standing Committee on Constitution and Constitutional Amendments said Committee Substitute being as follows:

SUBSTITUTE FOR H. 180.

A bill to be entitled an Act to submit to the qualified electors of this State at a special election to be held on the first Tuesday after the first Monday in November, 1928, an amendment to the Constitution for the purpose of authorizing the Jackson school district number seventy-two of Clarke County, and all other school districts which have been or may hereafter be consolidated with said Jackson district to levy and collect a tax not exceeding fifty cents on each One Hundred Dollars' worth of taxable property in such districts, for the purpose (a) of paying all of the outstanding bonds of the town of Jackson which were heretofore issued for the erection and equipment of a public school building, and (b) for other public school purposes, and to authorize an election within said districts for such purpose, to provide for the holding of such election within said districts, and to provide for the collection of such taxes.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is proposed to be submitted to the qualified electors

of the State for their ratification or rejection at a special election to be held on the first Tuesday after the first Monday in November, 1928, at which the amendment is proposed, which amendment is as follows, to-wit:

Article.....

1. The Jackson school district number seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson district may levy and collect a tax, not exceeding fifty cents of each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds, then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

2. After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72, and the districts which have been consolidated therewith, no other district may consolidate with the Jackson district until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

3. The election for such tax shall be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the Third amendment to this Constitution.

4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made, by reason of the tax hereby authorized.

Section 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county in the State at least eight successive weeks next preceding the said election on the amendment proposed by this Act to be submitted to the qualified electors of the State for their ratification or rejection.

Section 3. That at the election so held under such call of the Governor, as hereinabove provided, the qualified electors of the State shall vote upon said amendment, and on the official ballots

printed for such election there shall be printed the following, namely, "Shall the following be adopted as Article..... of the Constitution of Alabama?"

"1. The Jackson school district number seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson district may levy and collect a tax, not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds, then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

"After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72, and the districts which have been consolidated therewith, no other district may consolidate with the Jackson district until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

"3. The election for such tax shall be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the Third Amendment to this Constitution.

"4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made, by reason of the tax hereby authorized. Following the proposed amendment on the ballot shall be printed the word "Yes", and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark by him, or under his direction, opposite the word expressing his desire.

Section 4. The officers who hold such election shall be the same, and shall be appointed in the same manner and by the same officer as has been or may be provided by law for the holding of the general election for State and County officers on the said first Tuesday after the first Monday in November, 1928.

Section 5. That the election shall be held in all respects in accordance with the law governing elections and with the con-

stitutional provisions concerning amendments to that instrument.

Section 6. That the votes cast at said election shall be counted and canvassed, and return made thereof to the Secretary of State in the same manner as in elections for representatives to the legislature. The result of said election shall be made known by proclamation of the Governor, and if a majority of all qualified electors who voted at said election upon the proposed amendment shall have voted "Yes", said amendment from the date of said proclamation shall be valid to all intents and purposes as a part of the Constitution of Alabama, and as an Article thereof.

Mr. Johnson offered the following Substitute to the Substitute reported by the Standing Committee on Constitution and Constitutional Amendments:

H. 180. A bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing and regulating the levying of additional taxes by Jackson School District Number 72, Clarke County, Alabama, and all other school districts of Clarke County which have been or may hereafter be consolidated with said Jackson School District Number 72.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) The Jackson School District Number 72, of Clarke County, Alabama, and all other school districts of Clarke County which have been or which may hereafter be consolidated with said Jackson School District may levy and collect a tax not exceeding fifty cents on each one hundred dollars worth of taxable property in such school districts, for the purpose.

1. Of paying or refunding of outstanding bonds of the Town of Jackson, Clarke County, Alabama, which have been heretofore issued for the erection and equipment of the public school buildings in said town; and

2. After the payment of such bonds then for public school purposes within such districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined dis-

tricts affected, and voted for by a majority of those voting upon such proposition at such election.

(b) After such tax shall have been voted for and is being levied and collected by said Jackson School District Number 72 and the districts which have been consolidated therewith, no other district may consolidate with said Jackson District until such district so consolidating with said Jackson District shall have also voted a tax of like amount and with like expiration date, as shall have been voted by the districts which are then levying and collecting the tax provided for by paragraph (a) hereof.

(c) The election for such tax shall be proposed, called, held and the vote canvassed and the results declared and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by section 2 of the third amendment to this Constitution.

(d) The tax hereby authorized shall be in addition to any and all other taxes now authorized by law, and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made by reason of the tax hereby authorized.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

And the Substitute offered by Mr. Johnson to the Substitute reported by the Standing Committee on Constitution and Constitutional Amendments was adopted.

And the Substitute reported by the Standing Committee on Constitution and Constitutional Amendments as amended by the Substitute offered by Mr. Johnson was adopted;

Yeas, 72; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Bartlett	Carter	Frey
Adcock	Beebe	Cockrell	Golson
Allen	Bryant	Darden	Goode
Anderson	Burleson	Denson	Goodwyn
Ashcraft	Burns	Edwards	Green
Baldwin	Byars	Fite	Grove

Harwood	Langdon	Nipper	Smith
Hawkins	Lee	Norman	Stephens
Hightower	Lovelace	Patterson	Stewart (Bibb)
Hollis	Luck	Pegues	Stewart (Calhoun)
Howard	McAdory	Powell	Thompson
Hubbard	Martin	Quillin	Tompkins
Hughes	Matthews	Ringer	Waddell
Jeter	Merrill	Rivers	Ward (Geneva)
Johnson	Miller (Marengo)	Rogers (Mobile)	Ward (Tuscaloosa)
Jones (Bullock)	Miller (Sumter)	Sanders (Pike)	Ware
Jones (Cleburne)	Moxley	Sanderson	Webb
Jordan (Etowah)	Mullen	Simpson	Weldon

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And said Bill

H. 180 (with substitute). To submit to the qualified electors of this State at a special election to be held at the call of the Governor, after ninety days from the final adjournment of this Legislature, for their consideration, an amendment to the Constitution for the purpose of authorizing the Jackson School District Number Seventy-two of Clarke County, and all other school districts which have been or may hereafter be consolidated with said Jackson District to levy and collect a tax, not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying all of the outstanding bonds of the town of Jackson which were heretofore issued for the erection and equipment of a public school building, and (b) for other public school purposes, and to authorize an election within said districts for such purpose, to provide for the holding of such election within said districts, and to provide for the collection of such taxes.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is proposed to be submitted to the qualified electors of the State for their ratification or rejection at an election to be held and called by the Governor after ninety days from the final adjournment of this session of the Legislature at which the amendment is proposed, which amendment is as follows, to-wit:

ARTICLE

1. The Jackson School District Number Seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson District may levy and collect a tax not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds,

then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

2. After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72, and the districts which have been consolidated therewith, no other district may consolidate with the Jackson District, until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

3. The election for such tax shall be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the third amendment to this Constitution.

4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made, by reason of the tax hereby authorized.

Section 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county in the State at least eight successive weeks next preceding the said election on the amendment proposed by this Act to be submitted to the qualified electors of the State for their ratification or rejection.

Section 3. That at the election so held under such call of the Governor, as hereinabove provided, the qualified electors of the State shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, namely, "Shall the following be adopted as Article of the Constitution of Alabama?"

1. The Jackson School District Number Seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson District may levy and collect a tax, not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds, then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue

shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

2. After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72, and the districts which have been consolidated therewith, no other district may consolidate with the Jackson District, until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

3. The election for such tax shall be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the third amendment to this Constitution.

4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made, by reason of the tax hereby authorized." Following the proposed amendment on the ballot shall be printed the word "Yes", and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark by him, or under his direction, opposite the word expressing his desire.

Section 4. The officers who hold such election shall be the same, and shall be appointed in the same manner and by the same officer as has been or may be provided by this Legislature for the submission to the qualified electors for their consideration an amendment to the onstitution for the purpose of authorizing the issuance and sale of bonds for good roads construction and maintenance.

Section 5. That the election shall be held in all respects in accordance with the law governing elections and with the constitutional provisions concerning amendments to that instrument.

Section 6. That the votes cast at said election shall be counted and canvassed and return made thereof to the Secretary of State in the same manner as in elections for representatives to the Legislature. The result of said elections shall be made known by proclamation of the Governor, and if a majority of all qualified electors who voted at said election upon the proposed amendment shall have voted "Yes", said amendment from the date of said proclamation shall be valid to all intents and purposes as a part of the Constitution of Alabama, and as an article therefor.

As amended was read a third time at length and passed.
Yeas, 72; Nays, 0.

Yeas:**Messrs.:**

Mr. Speaker	Frey	Langdon	Ringer
Adcock	Golson	Lee	Rivers
Allen	Goode	Lovelace	Rogers (Mobile)
Anderson	Goodwyn	Luck	Sanders (Pike)
Ashcraft	Green	McAdory	Sanderson
Baldwin	Grove	Martin	Simpson
Bartlett	Harwood	Matthews	Smith
Beebe	Hawkins	Merrill	Stephens
Bryant	Hightower	Miller (Marengo)	Stewart (Bibb)
Burleson	Hollis	Miller (Sumter)	Stewart (Calhoun)
Burns	Howard	Moxley	Thompson
Byars	Hubbard	Mullen	Tompkins
Carter	Hughes	Nipper	Waddell
Cockrell	Jeter	Norman	Ward (Geneva)
Darden	Johnson	Patterson	Ward (Tuscaloosa)
Denson	Jones (Bullock)	Pegues	Ware
Edwards	Jones (Cleburne)	Powell	Webb
Fite	Jordan (Etowah)	Quillin	Weldon

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Which was a three fifths vote of the whole number elected to the House.

On motion of Mr. Johnson the Bill H. 180 was ordered sent to the Senate without engrossment.

H. 195. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of Three Thousand Nine Hundred and 00-100 (\$3,900.00) DOLLARS for the relief of the widow and child of Z. B. Talley, deceased, the said widow being named Mollie Talley and the said child being the child of Z. B. Talley, deceased, and said Mollie Talley.

Was read a third time at length and passed.

Yeas, 66; Nays, 2.

Yeas:**Messrs.:**

Adcock	Edwards	Jeter	Miller (Marengo)
Allen	Fite	Johnson	Miller (Sumter)
Anderson	Frey	Jones (Bullock)	Mullen
Ashcraft	Golson	Jones (Cleburne)	Nipper
Baldwin	Goodwyn	Jordan (Etowah)	Norman
Burleson	Grove	Jordan (Washington)	Patterson
Burns	Hampton	Langdon	Pegues
Carter	Harwood	Lovelace	Pitts
Cockrell	Hawkins	Luck	Quillin
Darden	Hightower	McAdory	Rivers
Deloney	Hollis	Martin	Rogers (Mobile)
Denson	Howard	Matthews	Sanders (Conecuh)
Edmundson	Hubbard	Merrill	Sanders (Pike)

Sanderson	Starnes	Tompkins	Ware
Shepherd	Stephens	Vickers	Webb
Simpson	Stewart (Calhoun)	Waddell	Weldon
Smith	Thompson		

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Nays:—Messrs. Bryant and Byars.—2.

On motion of Mr. Hawkins the Bill H. 195 was sent to the Senate without engrossment.

H. 683. (with amendment): To make appropriation to be used by the State Board of Education to aid in the erection, repair and equipment of rural school houses which were destroyed or seriously damaged prior to June 25th, 1927, by fire and where the State Board of Education finds that an emergency is such as defined in this Act exists.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations said Committee amendment being as follows:

Amend House Bill No. 683 by striking out the words and figures "fifty thousand dollars" where they occur in said bill and insert in lieu thereof the words and figures "ten thousand dollars."

And the amendment reported by the Standing Committee on Appropriations to the bill, H. 683, was adopted.

Yeas, 69; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Lee	Rogers (Mobile)
Adcock	Edwards	Lovelace	Sanderson
Allen	Fite	McAdory	Shepherd
Anderson	Frey	Martin	Simpson
Ashcraft	Goode	Matthews	Smith
Baldwin	Goodwyn	Merrill	Starnes
Bartlett	Grove	Miller (Marengo)	Stephens
Beebe	Harwood	Miller (Sumter)	Stewart (Calhoun)
Bryant	Hightower	Molette	Thompson
Burleson	Hollis	Mullen	Tompkins
Burns	Howard	Nipper	Vickers
Byars	Hubbard	Parish	Waddell
Cannon	Hughes	Pegues	Ward (Geneva)
Carter	Jones (Bullock)	Pitts	Ward (Tuscaloosa)
Cockrell	Jones (Cleburne)	Quillin	Ware
Darden	Jordan (Etowah)	Ringer	Webb
Deloney	Jordan (Washington)	Rivers	Weldon
Denson			

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And said Bill:

H. 683. To make appropriation to be used by the State Board of Education to aid in the erection, repair and equipment of rural school houses which were destroyed or seriously damaged prior to June 25th, 1927, by fire and where the State Board

of Education finds that an emergency is such as defined in this Act exists.

As amended by the amendment reported by the Standing Committee on Appropriations was read a third time at length and passed.

Yeas, 57; Nays, 0.

Yeas:

Messrs.:

Adcock	Edwards	McAdory	Rivers
Allen	Frey	Martin	Rogers (Mobile)
Anderson	Grove	Matthews	Sanderson
Ashcraft	Harwood	Merrill	Smith
Baldwin	Hawkins	Miller (Sumter)	Starnes
Bartlett	Hollis	Molette	Stephens
Brunson	Howard	Mullen	Stewart (Calhoun)
Burns	Hubbard	Nipper	Thompson
Byars	Jeter	Parish	Tompkins
Carter	Johnson	Pegues	Vickers
Christian	Jones (Bullock)	Pitts	Waddell
Cockrell	Jones (Cleburne)	Quillin	Ward (Geneva)
Darden	Jordan (Etowah)	Rankin	Ware
Deloney	Jordan (Washington)	Ringer	Webb
Denson			

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On motion of Mr. Thompson the Bill H. 683 was sent to the Senate without Engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama, and provide for and establish in lieu thereof the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a commissioner of conservation of Game, Fish and Seafood and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of conservation of Game Fish and Seafood, and the Commissioner of Conservation of

Game, Fish and Seafood; to provide for all officers, agents and employees in, under, or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the State or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this Act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in all protected game, birds, fish, and species of seafood, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties, to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same, to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

The House, on motion of Mr. Jeter, nonconcurrent in the Senate amendment to the Bill H. 368. Said Senate amendment being as follows:

Senate Committee Amendment to House Bill 368:

To amend Section 22 of H. 368 so as to read as follows:

Section 22: Permit issued by Commissioner to game breeders: The Commissioner of Conservation of Game, Fish and Seafood upon the payment of a fee of ten dollars (\$10.00) may issue an annual license to any properly accredited person, firm, or corporation permitting him, her, or it to engage in the business of raising game birds and game or fur bearing animals for propagating purposes in this State. Before such permit is issued the Commissioner shall make or cause to be made, a thorough investigation, and therefrom determine the qualifications, responsibility, and equipment of applicant for entering upon the business of breeding, raising, and handling of such game birds and game or fur-bearing animals.

Amend Section 94 of H. B. 368 by striking out the words "two inches" wherever same appears and inserting in lieu thereof the following: "two and one-half inches".

Amend Section 94 of House Bill 368 by substituting the following words: "provided any such fish traps together with wings of same shall not prevent fish or canoes from going up or down said stream" in lieu of the following words: "Provided that any such fish traps together with the wings of same, shall not occupy more than one-half the width of the stream in which it is operated or located".

Amend House Bill 368 by striking therefrom Section 105 and inserting in lieu thereof the following:

Section 105. Obstructing streams. Any person, firm or corporation, who by means of dams, or other obstructions prevents the passage of fish in the waters of any river, creek or other body of water in this State, without providing and maintaining a fish ladder, fish way or other means for the passage of fish up stream, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Any person, firm or corporation now owning or controlling such dam, shall immediately remove same or comply with the provisions of this section, and upon failure to do so, the Commissioner of Conservation of Game, Fish and Seafood, or any of his wardens or agents, shall be authorized to so remove same or have it done. Provided, however, it shall not be unlawful for any person, firm or corporation to erect or maintain a dam twenty feet or more in height on any stream in the furtherance of any lawful business or enterprise; and provided further that any person, firm or corporation constructing, operating or maintaining any dam under the provisions of the Federal Water Power Act shall construct fish ways as may be prescribed under the provisions of such Act and the rules and regulations issued thereunder.

Amend Section 100 of House Bill No. 368, by adding after the words, "Used at any time, in any of the waters of this State" the following words "To catch fresh water fish".

Amend House Bill No. 368 by striking therefrom Section 101.

To amend Section 103 House Bill 368 by striking out the words "each month" and substituting therefor "July and January".

Amend Section 100 of House Bill 368, by striking out that portion beginning "Based on the following schedule", and ending with the words "Low water mark", and substituting therefor the following "of five dollars per annum, no seine or net to be used of greater length than 1,200 feet nor mesh less than six inches stretched or bar mesh three inches from knot to knot, after being tarred and shrunk shall be used in any of the waters of this State for catching fresh water fish, and no seine or net of any length or dimensions shall be used in any of the fresh or tidal waters of this State having an average width of less than 150 feet at low water mark, except that portion of tidal streams, south of township four south, St. Stephens Meridian where the water is salt during most of the year.

Amend Section 111 of House Bill 368, by striking out the following: "To designate and regulate the manner of preparing, marking, tagging and labeling of all sea food for marketing and shipping within or without the State."

Amend Section 113 of House Bill 368 as follows: Insert after the words "State of Alabama" in the fourteenth line thereof the words "which"; insert after the word "are" in the same line thereof the word "now"; strike the word "to" in the fifteenth line thereof and insert in lieu thereof the word "shall"; insert after the word "thereof" in the fifteenth line the following "subject to such rights as may now or hereafter arise under existing law."

Insert after the words "natural and public" in the twenty-ninth line thereof the word "oyster".

Amend Section 115 of House Bill 368, by adding thereto the following "Shrimp may be sold by weight and in such event two hundred pounds thereof shall be considered a barrel of shrimp.

Amend Section 123 of House Bill 368 by striking out the words "July 1st, 1927" and substituting therefor "April 1st, 1928."

Amend Section 129 of House Bill 368 by striking out the words "two and one-half inches stretched or one and one-quarter inch" and substituting therefor the following "Two and three-eighths inches stretched or one and three-sixteenths of an inch".

Amend House Bill 368 by adding thereto Section 131½.

Section 131½. No nets, except dip nets or cast nets in catching bait, or those with six inch mesh as herein provided, shall be

used in any fresh water stream, except when the water at such point is salt, when nets for commercial fishing as herein prescribed may be used for half a mile, by run of the stream, up such stream from the mouth thereof, and in Bon Secour River to a line drawn south from Pattersons store which is Bon Secour post office.

Amend Section 133 of House Bill 368 by striking therefrom the words "each month" and substituting therefor "July and January."

Amend Section 136 of House Bill No. 368 by adding thereto the following: "No oysters in the shell shall be exported from this State, and no shells shall be sold for money taken in lieu thereof by the commission."

Amend House Bill 368 by striking out said Section 41 and inserting in lieu thereof the following:

"Section 41. State Fishing Licenses; How Obtained and Exceptions. Any person who has been a bona fide resident of this State for one year next preceding may procure a State fishing license by filing with any duly authorized person of the county from whom applicant desires to secure a license, the same affidavit as provided for hunting licenses, and after paying to the person issuing said license the sum of one dollar and fifteen cents, which said license shall entitle the holder thereof to fish in any of the public waters of this State; provided, however, that all land owners and land lords and tenants and members of their families living and maintaining their residence with them, may fish in the public waters traversing their land and in that portion of such public waters abutting or touching said lands, without procuring a fishing license; provided, further, that women, and all children under the age of eighteen years, may fish in any of the public waters of this State without procuring a fishing license.

Amend House Bill No. 368 by adding Section 177.

Section 117. Report on Seafood Pack required. Each person of Conservation of Fish, Game and Sea Food or by the Sea Food Commission shall not have the force and effect of laws and a violation of same shall not constitute a criminal offense, not withstanding the fact it may have been so provided in other sections of this Act. All expenditures under this Act must have the approval of the Governor.

Amend House Bill 368 by adding section 39½.

Section 39½-a. Every person engaged in the business of training dogs for remuneration or profit shall have a lien on any dog entrusted to him for training to secure all agreed or reasonable charges for his services in and about the training thereof.

39½-b. If the charges, claims or demands under the preceding section when due are not paid within ten days after de-

mand therefor, such trainer or handler is authorized, on giving ten day's notice of the time and place of such sale, by some newspaper published in the county of the residence of such trainer or handler, once a week for two successive weeks, or if there is no such paper, by posting a notice in three conspicuous places in said county, to sell such dog or dogs for payment of the charges and expenses of keeping, feeding, training and developing said dog or dogs, and also the costs and expenses of the sale and advertising, and the balance if any shall pay over to the owner of said dog or dogs; Right of owner to redeem said dog or dogs shall be barred after sixty days from the date of sale.

39½-c. It shall be unlawful for any person engaged in the training of dogs for remuneration or profit to train any dog between April 1st and Sept. 1st 1928, and between said dates in each succeeding year, or to cause or allow any dog that has been entrusted to them for training, to run at large or to exercise on any land where game birds may be nesting or breeding between said date in the year 1928 and each succeeding year.

Amend Sec. 10 by striking out the words "concealed or otherwise" after the word "weapons" and in lieu thereof the following: "when in the discharge of their duties as such wardens."

Amend Section 52 of House Bill 368, by adding the words "Jay birds or blue jays" after the words "Buzzards."

Amend Section 117 of House Bill No. 368, by striking out same and inserting in lieu thereof the following:

Section 177. The rules and regulations made by the Commission, firm, or corporation, on or before the tenth day of July of each year, shall make a report to the Sea Food Commission of the amount of Pack of the several kinds of sea food packed or canned during the preceding season giving the size of cans or net weight thereof, and the number of cases packed therefrom.

Amend Section 53 of House Bill 368 by striking out "November 30th" after the words "wild turkey gobblers" and substituting therefor "November 11th" and by striking out the words "November 21st" after the word "partridge" and substituting the words "November the eleventh."

Amend House Bill 368 by adding Section 43½.

Section 43½. Money received from fishing licenses issued in Mobile and Baldwin Counties shall be placed to the credit of the Sea Food Fund.

Amend Section 59 of House Bill 368, by striking out the words "The 31st day of October", and substituting in lieu thereof November 21st day following.

Amend Section 53 of House Bill 368, by striking out "November 30th, to March 1st, following" and substituting therefor November 21st to January the first following and during March.

Amend Section 52 by making the open season on quail to read

as follows: "Quail (bob-white partridge), November 20th to February 20th following."

To amend House Bill No. 368 by striking out Section 88 and substituting therefor the following:

Section 88. Provided that nothing in this bill shall be construed to in any way repeal any Section of the Public Health and quarantine laws of the state or in any wise interfere with the administration of the public health and quarantine laws of the state or the regulations passed by the State Board of Health governing impounding waters.

Amend House Bill 368 by striking therefrom Sec. 41.

Amend H. B. 368 by adding at the end of Sec. 25 the following:

"Provided, that said expenses shall be payable only out of the Game and Fish Fund."

Amend House Bill 368 by striking out Section 66, Article 7, Chapter 2.

Amend Sec. 3, Article 1 by striking out the amount \$3,000.00 and substituting therefor the amount of \$2,400.00. By striking out the amount \$2400.00 and substitute therefor \$2000.00. By striking out \$1800.00 and substituting therefor \$1500.00. By striking out \$1200.00 and substitute therefor \$1000.00.

Amend Sec. 8, Article 2 by striking out \$3000.00 and substituting \$2400.00. By striking out \$1800 and substituting \$1500.00.

Amend House Bill 368 by adding section 95½.

Section 95½. It shall be unlawful to catch game fish during the months of April and May in any stream or public waters of this State in any portion of which the tide ebbs and flows.

And on motion of Mr. Jeter a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the Bill H. 368 and the Speaker of the House named as a Committee of Conference on the part of the House Messrs. Jeter, Beebe and Goode.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills, and returns same herewith to the House.

H. 6. To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate Amendment to the Bill H. 6 said Senate amendment being as follows:

Amend House Bill No. 6 by adding the following at the end of Section 1035 as a new sentence:

Provided, however, that said assistants shall devote their entire time to the work of the Survey, and no part of the funds available to the Survey shall be expended for the salary or compensation in whole or in part of any member of the teaching staff or other employee of the University of Alabama, provided that not more than one of the present employees doing joint service may be retained; the object of this provision being to secure the services of full-time employees and to preclude the payment of salaries or other compensation of teachers or other employees of the University, thereby guaranteeing an entire separation of the work of the survey from that of the University.

And by adding the following at the end of Section 1038 as a new sentence.

Provided, however, that no payment shall be made by the survey to the University on account of rent or permanent improvements, nor shall the University make use of the Survey's apparatus and materials for making chemical analyses, nor share in expenditures for outfit herein referred to.

Yeas, 64; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Fite	Lee	Rogers (Mobile)
Adcock	Frey	Lovelace	Sanderson
Ashcraft	Goodwyn	McAdory	Stephens
Baldwin	Guy	Martin	Simpson
Beebe	Hampton	Matthews	Smith
Brunson	Harwood	Merrill	Starnes
Bryant	Hightower	Molette	Stephens
Burns	Hollis	Nipper	Thompson
Byars	Howard	Norman	Tompkins
Carter	Hubbard	Parish	Tunstall
Christian	Hughes	Patterson	Vickers
Cockrell	Johnson	Pegues	Waddell
Darden	Jones (Bullock)	Powell	Ward (Geneva)
Deloney	Jones (Cleburne)	Quillin	Ward (Tuscaloosa)
Denson	Jordan (Washington)	Rankin	Webb
Edwards	Lawler	Rivers	Weldon

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 497. To amend Section 6702 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Bradford:

S. 570. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of all counties in this State which now have according to the last Federal census a population of not less than 20,862 and not exceeding 22,000 inhabitants, and to provide that the members of the Court of County Commissioners shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such; to define their duties and fix their compensation, as such supervisors.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate was read one time and referred to an appropriate Standing Committee as follows:

Public Roads and Highways, S. 570.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the resolution:

H. J. R. 163. Relative to urging the members of the Seventieth Congress of the United States to lend their active support in securing the enactment of the so-called Tyson-Fitzgerald Bill.

And returns same herewith to the House.

J. E. Speight,
Secretary.

NOTICE IN WRITING

I hereby given notice that I will make a motion on the 46th Legislative Day to take House Bill No. 1000 from the adverse calendar and have it placed upon the calendar for consideration.

A. C. Lee.

MOTION IN WRITING

Mr. Ward of Geneva gave the following motion in writing: "I move that when this House convenes on Friday August 19th, and immediately after the report of Standing Committees, that a call of counties be had for the calling up of General Bills, and that each member of the House be permitted to call up one general bill."

Mr. Ward of Geneva moved that the Rules be suspended in order that the motion might be put on immediate passage. The House refused to suspend the Rules and the motion was referred to the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 12:30 P. M. on Aug. 18, 1927.

H. 357.
H. 824.
H. 803.
H. 750.
H. 931.
H. 604.
H. 533.
H. 896.
H. 778.
H. 804.
H. 915.
H. 916.
H. 863.
H. 457.
H. 776.
H. 798.
H. 1015.
H. 914.
H. 633.
H. 958.
H. 912.
H. 660.
H. 873.
H. 773.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Sanderson the House adjourned until 9:00 o'clock Friday morning August 19th, 1927.

FORTY-SIXTH DAY

House of Representatives,
Montgomery, Alabama.
Friday, August 19th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Thompson of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Mobile)
Adcock	Goodwyn	McAdory	St. John
Allen	Graves	Martin	Sanders (Conecuh)
Anderson	Green	Matthews	Sanders (Pike)
Ashcraft	Grove	Merrill	Sanderson
Baldwin	Guy	Miller (Marengo)	Shepherd
Bartlett	Hampton	Miller (Sumter)	Shivers
Beebe	Harwood	Molette	Simpson
Brunson	Hawkins	Morrow	Smith
Bryant	Hightower	Moxley	Starnes
Burleson	Hollis	Mullen	Stephens
Burns	Howard	Nipper	Stewart (Bibb)
Byars	Howell	Norman	Stewart (Calhoun)
Cannon	Hubbard	Owens	Thompson
Carter	Hughes	Parish	Tompkins
Christian	Jeter	Patterson	Tunstall
Cockrell	Johnson	Pegues	Vickers
Cook	Jones (Bullock)	Pitts	Waddell
Darden	Jones (Cleburne)	Poole	Wallace
Deloney	Jordan (Etowah)	Powell	Ward (Geneva)
Denson	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovlace		

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 45th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 45th legislative day was approved.

LEAVE OF ABSENCE

Leave of absence was granted to Messrs. Desear, Gullatt, Monk and Rogers of Elmore for today.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 142. To further amend an act entitled "An Act to establish an Inferior Criminal Court for Jefferson County, Alabama, to define the jurisdiction and power of said court, the judge, clerk, and other officers thereof; to provide for the place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries," approved September 10, 1919 (Local Acts of 1919, page 121 to 130, inclusive) and the act amending said Act, approved Feb. 9, 1923 (Local Acts of 1923, page 16-19) inclusive and to provide for the increase of the salary of the judge and other officers and employees of said court, and to amend the provisions as to the judges, officers and employees of said court, their number, appointment, authority and to provide for the creation and manner of appointment, duties and salary of an additional judge of said court, to be known as Supernumerary Judge.

Also:

H. 72. To establish a State Trunk Road to be known as the "Shoals, National Forest and Birmingham Highway", Road No. 69.

Also:

H. 960. To adopt the code of laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927 (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioners of agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama.

Also:

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12, of an Act entitled, "An Act imposing an excise tax on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this act, approved Feb. 10, 1923.

Also:

H. 725. To make appropriation to the Alabama Polytechnic Institute in lieu of certain other appropriations and revenue, the benefit of which said Alabama Polytechnic Institute has heretofore received or secured.

Also:

H. 419. Relating to and to further provide for the revenue of the State of Alabama, by providing for the registration and identification of motor vehicles, and trailers used on the public highways of Alabama and for the registration and license fee therefor, and to further provide for the revenue of the State of Alabama.

Also:

H. 756. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native or wild in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to willfully cut, break, or remove any flowers therefrom, or to willfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to willfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub or plant is situated.

Also:

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for a violation of the provisions hereof.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in Session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 898. Authorizing, directing and requiring the State Board of Administration to furnish free text books and writing materials to the pupils of Grades One, Two and Three of the Public Schools of the State, and to make an appropriation to pay for the same.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Frey:

H. R. 287. Relative to making H. 1173 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Frey:

H. R. 288. Relative to making H. 1172 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Tunstall:

H. J. R. 289. Resolved by the House, the Senate concurring, that when the two Houses adjourn today, they reconvene on next Tuesday, August 23.

And the Rules were suspended and the Resolution was adopted.

By Mr. Jordan of Etowah:

H. R. 290. Relative to making S. 286 and S. 380 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Nipper:

H. R. 291. Relative to making S. 360 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Ashcraft:

H. R. 292. Resolved that the House remain in session until 2 o'clock today.

And the Resolution was lost.

By Mr. Denson:

H. R. 293. Relative to making S. 210 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Carter:

H. R. 294. Relative to making S. 320 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Sanders of Conecuh:

H. R. 295. Relative to making H. 865 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jones of Bullock:

H. R. 296. Relative to making S. 310 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 297. Relative to making S. 175 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

On a call of Counties Bills were introduced, severally read one time and referred to appropriate Standing Committee as follows:

By Mr. Brunson (By request) (With Notice and Proof):

H. 1175. To divide Coffee County, Ala., into Four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners' Districts

shall be elected, and to provide for and fix their time of office; to prescribe their duties and compensation.

Local Legislation.

Notice and Proof H. B. 1175.

NOTICE

Notice is hereby given that a bill will be introduced for passage at the present session of the Legislature of Alabama, which is in substance as follows:

AN ACT

To divide Coffee County, Ala., into four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners' Districts shall be elected, and to provide for and fix their time of office to prescribe their duties and compensations.

Be it enacted by the Legislature of Alabama:

Section One. That Coffee County, Alabama, is hereby divided into four Commissioners Districts, to be known and called Commissioners District One, Two, Three and Four. That District No. 1 shall be bounded on the South by the Township line between Township Five and Township Six, and on the East by the Range line between Range 20 and Range 21; that District No. 2 shall be bounded on the South by the Township line between Township Five and Township Six, and on the West by the Range line between Range 20 and Range 21; that District No. 3 shall be bounded on the North by the Township line between Township 5 and Township Six, and on the West by the Range line between Range 20 and Range 21; that District No. 4 shall be bounded on the North by the Township line between Township Five and Township 6, and bounded on the East by the Range line between Range 20 and Range 21; and one County Commissioner for the County of Coffee shall be elected from each of said Commissioners Districts, and not more than one Commissioner shall be elected at the State and County election from each of said Commissioners Districts.

Sec. 2. That at the general election in 1930 the qualified electors of the First and Second Commissioners Districts provided for by this Act shall elect such County Commissioners for said County of Coffee from each of said First and Second Districts, and who shall be bona fide resident of the District from which elected and shall hold office for a period of four years and until his successor is elected and qualified. At the general election in 1928, and every four years thereafter the qualified electors of said Third and Fourth Commissioners Districts in said County shall elect one Commissioner for said Coffee County from each of the respective Third and Fourth Districts who shall be a bona fide resident of the District from which elected, and whose term of office shall be four years from the first Monday after the second Tuesday in January next after his election, and until his successor is qualified.

Sec. 3. That a County Commissioner from each of said Districts shall be elected as provided in this Act by the qualified electors in said District, each qualified elector being entitled to vote for the Commissioner in the District only in which such elector resides.

Sec. 4. That this Act shall not affect the right and tenure of office of the present County Commissioners of Coffee County, but such Commissioners shall continue to hold and discharge their duties in their said offices until their successors are elected and qualified under this Act.

Section 5. That the several County Commissioners of Coffee County, Alabama, in addition to the duties now imposed on them by law, shall be directly in charge of the construction and maintenance of the public roads and bridges in their respective commissioners Districts, and shall be responsible for all such tools, road machinery and road hands and labor as made by appropriate orders of the Court of County Commissioners of said County be assigned and used in their respective Districts.

Sec. 6. That for the faithful performance of their duties under this Act, each Commissioner shall be required to give bond in the sum of \$2,000.00, to be approved by the Judge of Probate of said County of Coffee. Said bond may be made by a bonding company or by personal security. In case a bond is made by a bonding company, the county is to pay the lawful charges therefor.

Sec. 7. In case of the absence of the Probate Judge at any regular meeting of the Commissioners Court, three of the Commissioners shall constitute a quorum, one of whom may be elected chairman and secretary, whose duties shall be to put all motions and keep all records as though the Probate Judge were present.

Sec. 8. Each County Commissioner shall receive while engaged in attending on the board of County Commissioners or the duties of the office the sum of \$5.00 per day, which shall be in lieu of all other compensations paid him by the County; that before receiving any compensation each Commissioner shall make out an itemized, verified account signed and sworn to before an officer of competent jurisdiction, showing the number of days of service, and no Commissioner shall receive pay for more than 150 days during any calendar year.

Sec. 9. If any section or provision of this Act shall be declared void or unconstitutional it shall not affect or destroy the validity or constitutionality of any other section or provision which is not in and of itself void or unconstitutional.

Sec. 10. That all laws or parts of laws not in conflict shall remain in full force and effect, and all laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 11. This Act shall be in full force and effect from and after its approval by the governor.

John M. Loflin,
Senator for the 25th District.

State of Alabama,
Coffee County.

Before the undersigned, a Notary Public in and for said State and County, personally appeared J. H. Singleton, publisher of Enterprise Ledger, a newspaper published at Enterprise, in Coffee County, who states on oath that the attached notice was published four (4) consecutive issues in said newspaper, of dates: July 29, Aug. 5, 12 and 19, 1927.

J. H. Singleton,

Sworn to and subscribed before me this 19th day of August, 1927.

J. L. Jeter,
Notary Public.

By Mr. McAdory:

H. 1176. To repeal an act approved August 11, 1927, entitled an act "To create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of

office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal."

Judiciary.

By Mr. Denson (With Notice and Proof) :

H. 1177. To fix the salary of the Deputy Solicitor of Lee County, at Twelve Hundred Dollars per annum, payable in monthly installments of One Hundred Dollars; and to provide for the payment thereof.

Local Legislation.

Notice and Proof H. B. 1177.

NOTICE

Notice is hereby given that, at the next General Meeting of the Legislature of Alabama in June, 1927, the following bill will be introduced for passage to become a law for the County of Lee, viz.:

Be it enacted by the Legislature of Alabama,

That the salary of the Deputy Solicitor of Lee County shall be fixed at Twelve Hundred Dollars per annum, payable in monthly installments of One Hundred Dollars, to be paid out of the general fund of the County on warrants drawn by the Probate Judge of said County on the Treasurer thereof and payable on the 1st day of each month. This Act shall take effect immediately upon the approval of the Governor.

All local or general laws in conflict with this Act are hereby repealed.
(Adv. 23-30-7-14)

State of Alabama,
County of Lee.

Before me, Juanita Moring, a notary public in and for said County, appeared W. C. Wear who, being duly sworn, says that he is business manager of the Opelika Daily News, a newspaper published in said County and that attached notice proposed bill legislation Lee County, copy attached hereto, appeared in said newspaper on April 23-30, May 7-14, 1927.

W. C. Wear.

This 11th day of June, 1927.

Juanita Moring,
Notary Public, Lee County, Ala.

By Mr. Hightower (With Notice and Proof) :

H. 1178. To provide for the election of a County Superintendent of Education of Sumter County, Alabama, by the qualified electors of Sumter County to provide for his duties and qualifications, fix the term of office and to fix his salary and provide for its payment.

Local Legislation.

Notice and Proof H. 1178.

NOTICE OF LOCAL LAW

Notice is hereby given that at the present session of the Legislature of Alabama a local bill will be introduced for passage, substantially as follows:

An Act entitled An Act to provide for the election of a County Superintendent of Education by the qualified electors of Sumter County for Sumter

County, Alabama, to provide for his duties and qualifications, fix the term of office, and to fix his salary and provide for its payment.

Be it enacted by the Legislature of Alabama:

Section 1. That a County Superintendent of Education of Sumter County, Alabama, shall be elected by the qualified electors thereof on the first Tuesday after the first Monday in November, 1928 and every fourth year thereafter.

Section 2. The term of office of the County Superintendent of Education shall commence on the first Monday of January next after his election and he shall hold office for four years or until his successor is elected and qualified.

Section 3. The County Superintendent shall perform such duties as are now required by law and also the duties of County Supervisor of Schools in Sumter County, Alabama.

Section 4. No person shall be eligible to hold the office of County Superintendent of Education who has not attained the age of twenty-one years, who is not a citizen of Sumter County, Alabama, when elected, who has not received a degree from an "A" Grade College or University, and who has not had at least two years experience as a teacher.

Section 5. The salary of the County Superintendent of Education shall be three thousand and six hundred dollars per year which shall be paid as is now provided by law.

State of Alabama,
Sumter County.

Before me, Jno. A. Altman, a Notary Public in and for said State and County, personally appeared A. Morgan, who is known to me to be the publisher of the Sumter County Journal, who being by me first duly sworn, deposes and says that she is the publisher of the Sumter County Journal, a weekly newspaper published in Sumter County, Alabama, and that the notice hereto attached was published in said newspaper once a week for four consecutive weeks for the dates of July 7th, July 14th, July 21st and July 28th of the year 1927.

A. Morgan.

Sworn to and subscribed to before me on this the 15th day of August, 1927.

Jno. A. Altman,
Notary Public.

By Mr. Goodwyn:

H. 1179. To amend Section 847 of the Code of Alabama.

Judiciary.

By Mr. Tunstall:

H. 1180. To fix the salaries or compensation of the members of the State Tax Commission of Alabama and to provide for the payment thereof.

Ways and Means.

By Mr. Ware:

H. 1181. To amend Section 758, 759, and 764 of the Code of Alabama of 1923, relating to the salaries of the Secretary, The Recording Secretary, The Clerk and the Stenographer to the Governor.

Appropriations.

By Mr. Parrish (With Notice and Proof):

H. 1182. Fixing the amount, manner of payment fund from which to be paid, time to become effective and repeal all laws

and parts of laws in conflict herewith, of the salary or compensation for services to be rendered as required by law by the deputy or county solicitor of the county of Henry in the State of Alabama.

Local Legislation.

Notice and Proof H. B. No. 1182:

Notice is hereby given of intention to apply to the Legislature of the State of Alabama, for enactment of a local law for the County of Henry, in said State, fixing the salary or compensation for services required by law to be rendered, the manner of payment thereof, fund of said County from which to be paid, time to become effective and repeal of all laws and parts of laws in conflict therewith, of the Deputy or County Solicitor of said County, the entirety of which law is hereinafter following.

Witness our hands this the 27th day of July, 1927.

T. W. Howell,
J. A. Parish,
R. F. Hall.

PROOF BY AFFIDAVIT OF PUBLICATION

State of Alabama,
Henry County.

Before me, F. W. Fish, a Notary Public, in and for said County in said State, personally appeared H. C. Rogers, who is known to me and known to be a credible person, and who first being duly sworn by me, deposes and says that:

1—He is Associate Editor of the Abbeville Herald, a newspaper published weekly in the City of Abbeville in said County, and has charge of publications made in said paper; that

2—The aforesaid notice of intention to apply to the Legislature for enactment of a local law fixing the salary of the Deputy or County Solicitor for Henry County, together with said law in full, the caption of which is as aforesaid, entitled "An Act" etc., was published in said newspaper for four consecutive weekly publications on dates of July 28th, August 4th, August 11th and August 18th, 1927.

Further deponent sayeth not.

H. C. Rodgers,
Mgr. & Asso. Ed.

Sworn to and subscribed to before me this the 20th day of August, 1927.

(Seal)

F. W. Fish,
Notary Public.

BILLS ON SECOND READING

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1158. To fix the salary of the Deputy Solicitor for Lowndes County, Alabama.

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had act-

on the following bills and ordered same returned to the House with a favorable report:

H. 710. To repeal Section 6269 of the Code of Alabama.

S. 450. To repeal Section 2999, Code of Alabama, 1923.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 210. To provide for the expenses of certain members of the judiciary of Alabama.

S. 211. To amend Section 865 of the Code of Alabama, 1923.

S. 397. To appropriate the sum of \$700.00 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

(With Amendment):

H. 937. To establish in the State Department of Education, under the control of the State Board of Education, a Division of Library Service, to create an Advisory Library Board, and to make an appropriation therefor.

S. 320. (With amendment) To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

S. 491. (With amendment) To create the office of bond commissioner to define his duties and to fix his salary, and make appropriation therefor.

Mr. McAdory, Chairman of the Standing Committee on Manufacturing, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1169. To define a chain of stores and to declare a chain of stores a monopoly or combination of capital and to authorize their regulation, prohibition or reasonable restraint by municipalities.

Mr. Starnes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1084. To amend Sections 677, 678, 680, 682 and 683 of the Code of Alabama of 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1163. To amend Section 7327 of the Code of Alabama of 1923.

H. 1164. To amend Section 10288 of the Code of Alabama of 1923.

H. 1166. To provide for the administration and control of the public school system of any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding federal census; to establish a board of education and provide for the manner of its selection.

H. 1172. To give a right of action for libel to the State of Alabama, and to all cities, towns and counties thereof, against newspapers published or circulated therein; to provide who shall prosecute such actions; the venue thereof; the amount of damages recoverable to fix a limitation upon such action, and to repeal all laws or parts of law in conflict herewith.

H. 1173. To make it unlawful for any person, firm or corporation to publish in any newspaper published or circulated in this State, libellous matter concerning the State of Alabama, or the people thereof; any County in said State, or the people thereof; or any City or town in said State, or the people thereof; and to fix the punishment therefor.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

S. 500. (With amendment) To create the Twenty-fourth Judicial Circuit of the State of Alabama, to define the Jurisdiction thereof, to provide for the election of a Judge, Solicitor, clerk, and the appointment of a register in Chancery and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer Division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer Division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the tenth Judicial Circuit of Alabama, and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama, and to otherwise provide therefor.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1174. For the relief of Treasurers of those counties in the State of Alabama having more than 200,000 population according to the last or any subsequent Federal census, by validating, ratifying and making legal, the payment by such Treasurers to the Circuit Solicitors of the circuit in which such counties are located of any warrants issued and paid under the provisions of Section 2 of an Act of the Legislature of Alabama approved August 22, 1923, entitled an Act "To amend sections 3, 6 and 7 of an Act entitled 'An Act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation,' approved September 25, 1915."

H. 1171. To require in all counties in this State having according to the last or any subsequent census 200,000 inhabitants or more, State and county officers and other persons whose salaries, expenses or other claims are now payable upon warrants drawn upon the county treasurer by such officers, to be itemized, sworn to and presented to the board of revenue or other governing body of such counties, for audit and allowance.

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

H. 1167. To provide for the extension of the term of office of all Constables in counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census for a period of two years from the time of the expiration of their present term of office, and to provide that the present incumbents shall continue to hold said office during said period of two years by which their term is extended; and to fix and prescribe the term of office of all constables in such counties to be elected as the general election in November 1930 and thereafter.

H. 1162. To provide for a Special Election to be held in Jackson County on the first Tuesday in January, 1928, to determine whether the County Superintendent of Education shall be elected by ballot or continue to be appointed by the County Board of Education; to fix his term of office and salary; and to prescribe his qualifications.

H. 1161. To provide for the election of county superintendent of education for Walker County, to fix his term of office, to prescribe his salary and the manner of payment; to define his

qualifications, powers and duties, and to provide for the election of his successor in office.

H. 1160. To authorize and empower the Board of Revenue of the County of Tuscaloosa to pay out of the General Treasury of said County the salaries of two deputies of the Sheriff of Tuscaloosa County, Alabama, said salaries not to exceed the sum of One Hundred Twenty-five and no-100 (\$125.00) Dollars per month to each of the said deputies.

H. 1159. To permit the Board of Revenue, or like body, in counties having a population of not less than fifty two thousand and not more than fifty four thousand to give to the Chamber of Commerce, or like body, in any city or town in said county, any sum of money, up to three hundred dollars per month, to be paid monthly.

H. 1157. To establish an inferior court to be known as the Inferior Court of Ashland, Alabama, in lieu of all Justices of the Peace and Notaries Public with powers of Justice of the Peace in Ashland Precinct No. 6, which lies within Ashland the county seat of Clay County, Alabama. Said county seat having a population of 1500 or more according to the last Federal census, to define the jurisdiction and powers of said court and the Judges and officers thereof to provide for a place of holding said court for the terms, salaries, compensation and fees of Judge and officers of said court and the manner of their appointment or election and the payment of their salaries or fees, and to define the jurisdiction and powers of said Court and the Judge thereof.

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum and the sum of one dollar additional on all license fees, executed by said municipality amounting to seven dollars and fifty cents or more per annum and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

H. 815. To authorize and empower the Board of Revenue of Barbour County, Alabama, or like governing body, to employ an attorney to represent said Board in all legal matters where the services of an attorney is required and where the interest of the County may demand to fix the compensation to be paid for such service.

H. 814. To amend an act, entitled an act, to amend an act to provide for opening new roads in Barbour County, Alabama, improving those now open and for keeping the same in good condition, approved Feb. 11, 1901.

S. 510. To amend section 6503 of the Code of Alabama, 1923."

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1170. To amend Section 779 of the Code of Alabama 1923 as far as same applies to the Chief Clerk in the office.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 447. To amend Section 21 of an Act approved September 13, 1923, relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 164. For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

H. 1147. To authorize the State Law Enforcement Department to pay to Rufus Cannon, a member of said Department, the sum of Three Hundred Five and 00/00 Dollars, (\$305.00), to reimburse him for expenses incurred in the treatment of injury sustained by said Rufus Cannon, while engaged on the line and scope of his duties and making appropriation for that purpose.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation:

(Without recommendation):

H. 248. To create a Building Committee to be composed of members of the present Alabama Memorial Commission, to contract for and supervise the building and furnishing of a building to be known as the Alabama Memorial Building, and to be clothed with the full authority and power for and in behalf of the State of Alabama, to perform all necessary acts looking to the carrying out of the intents of this Act and to provide an appropriation for the building and to provide necessary funds for the erection of said building.

The above and foregoing bills were severally read a second time and placed on the calendar.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

S. 221.

S. 275.

The above and foregoing bills were severally read a second time and placed on the Adverse calendar.

NOTICE IN WRITING

Notice is hereby given under rule 29 of the House that on the next legislative day I will move to take Senate Bill 275 from the adverse calendar and place same on the regular calendar of the House.

Roy L. Smith.

RECOMMITTAL OF BILLS

On motion of Mr. Hawkins, the bill:

H. 1127. Was recommitted to the Standing Committee on Municipal Organizations.

On motion of Mr. McAdory, the bill:

H. 1169. To define a chain of stores and to declare a chain of stores a monopoly or combination of capital and to authorize their regulation, prohibition or reasonable restraint by municipalities.

Was recommitted to the Standing Committee on Manufacturing.

BILLS ON THIRD READING

(With amendment):

H. 1128. To amend an Act entitled an Act to establish an Inferior Court of Autauga County, Alabama, in lieu of all Justices of the Peace and Notary Public Ex-Officio Justices of the Peace in Prattville Precinct, or Precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said Court and the Judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the Judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the Judge thereof.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation, said Committee amendment being as follows:

To amend H. 1128 by striking the following words, where they appear in Section 1. and line 6 thereof, the following: "For in the same manner as is now provided for under the General

Laws of the State of Alabama," and inserting in lieu thereof
 "Out of the Inferior Court funds of Autauga county, Alabama."
 And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hawkins	Mullen	St. John
Anderson	Hightower	Nipper	Sanders (Conecuh)
Ashcraft	Hollis	Norman	Sanders (Pike)
Baldwin	Howard	Owens	Sanderson
Bartlett	Howell	Parish	Shepherd
Bryant	Hubbard	Patterson	Starnes
Burleson	Lee	Pegues	Stephens
Burns	Lovelace	Pitts	Vickers
Carter	Luck	Poole	Waddell
Cook	Martin	Powell	Wallace
Darden	Merrill	Quillin	Ward (Geneva)
Denson	Miller (Marengo)	Rankin	Ward (Tuscaloosa)
Green	Miller (Sumter)	Reeder	Ware
Grove	Molette	Ringer	Webb
Guy	Morrow	Rivers	Weldon
Hampton	Moxley	Rogers (Mobile)	Winn
Harwood			

—65

And said Bill:

H. 1128. To amend an Act entitled an Act to establish an Inferior Court of Autauga County, Alabama, in lieu of all justices of the peace and notary public ex-officio justices of the peace in Prattville Precinct, or Precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said court and the judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Carter	Golson	Howard
Adcock	Christian	Goodwyn	Howell
Allen	Cockrell	Graves	Hubbard
Anderson	Cook	Green	Hughes
Ashcraft	Darden	Grove	Johnson
Beebe	Deloney	Guy	Jones (Bullock)
Brunson	Denson	Hampton	Jones (Cleburne)
Bryant	Edmundson	Harwood	Jordan (Etowah)
Burns	Edwards	Hawkins	Jordan (Washington)
Byars	Fite	Hightower	Matthews
Cannon	Frey	Hollis	Merrill

Miller (Marengo)	Reeder	Sanderson	Stephens
Miller (Sumter)	Ringer	Shepherd	Stewart. (Calhoun)
Molette	Rivers	Shivers	Thompson
Morrow	St. John	Simpson	Tompkins
Moxley	Sanders (Pike)	Smith	Tunstall
Mullen			

—65

H. 1149. Relating to the government of and control by civil service regulations of the Police and Fire Departments in all cities of the State of Alabama having a population of 100,000 or more according to the last or any succeeding Federal census, and relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

Was taken up.

Mr. Hawkins offered the following amendment to the Bill H. 1149.

Amend H. 1149 by adding thereto Section 3½ to read as follows:

Section 3½. In event there is a reduction in the number of firemen or policemen employed in such cities, the men last employed shall be the first to be dropped, and so on in succession.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cook	Lawler	Powell
Adcock	Darden	Lovelace	Quillin
Allen	Deloney	Luck	Rankin
Anderson	Denson	McAdory	Reeder
Ashcraft	Edmundson	Martin	Ringer
Baldwin	Frey	Matthews	Rivers
Bartlett	Goodwyn	Merrill	Rogers (Mobile)
Beebe	Graves	Miller (Marengo)	St. John
Brunson	Hampton	Miller (Sumter)	Sanders (Conecuh)
Bryant	Harwood	Molette	Sanders (Pike)
Burleson	Hawkins	Nipper	Sanderson
Burns	Hightower	Parish	Shepherd
Byars	Hughes	Patterson	Shivers
Cannon	Jeter	Pegues	Simpson
Carter	Kirkpatrick	Pitts	Webb
Christian	Langdon	Poole	Winn
Cockrell			

—65

And said Bill:

H. 1149. Relating to the government of and control by civil service regulations of the Police and Fire Departments in all cities of the State of Alabama having a population of 100,000 or more, according to the last or any succeeding Federal census, and relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Adcock	Grove	Martin	Powell
Allen	Guy	Matthews	Quillin
Anderson	Hampton	Merrill	Rankin
Ashcraft	Harwood	Miller (Marengo)	Reeder
Baldwin	Hawkins	Miller (Sumter)	Ringer
Bartlett	Jeter	Molette	Rivers
Brunson	Jones (Bullock)	Morrow	Shepherd
Bryant	Jones (Cleburne)	Moxley	Shivers
Edmundson	Jordan (Etowah)	Mullen	Simpson
Edwards	Jordan (Washington)	Nipper	Smith
Fite	Kirkpatrick	Norman	Starnes
Frey	Langdon	Owens	Stephens
Golson	Lawler	Parish	Ware
Goode	Lovelace	Pegues	Webb
Goodwyn	Luck	Pitts	Weldon
Graves	McAdory	Poole	Winn
Green			

—65

H. 1140. To amend Section 17 of an act entitled an act to provide and create a Commission form of Municipal Government and to establish same in all Cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last federal census or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said Commission form of government. Approved September 18, 1923.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Adcock	Golson	Lovelace	Smith
Anderson	Goode	Luck	Starnes
Ashcraft	Goodwyn	McAdory	Stephens
Baldwin	Graves	Martin	Stewart (Bibb)
Bartlett	Hubbard	Matthews	Stewart (Calhoun)
Cannon	Hughes	Patterson	Thompson
Carter	Jeter	Reeder	Tunstall
Cockrell	Johnson	Ringer	Vickers
Cook	Jones (Bullock)	Rogers (Mobile)	Waddell
Darden	Jones (Cleburne)	St. John	Wallace
Deloney	Jordan (Etowah)	Sanders (Conecuh)	Ward (Geneva)
Denson	Jordan (Washington)	Sanders (Pike)	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Sanderson	Ware
Edwards	Langdon	Shepherd	Webb
Fite	Lawler	Shivers	Weldon
Frey	Lee	Simpson	Winn

Nay:—Mr. Tompkins—1.

—64

H. 1143. To prescribe the qualifications of the Judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Hawkins	Mullen	Shivers
Baldwin	Hightower	Nipper	Simpson
Bartlett	Hollis	Norman	Smith
Beebe	Howard	Owens	Starnes
Brunson	Howell	Parish	Stephens
Bryant	Hubbard	Patterson	Tompkins
Christian	Luck	Pegues	Tunstall
Cockrell	McAdory	Pitts	Vickers
Edwards	Martin	Poole	Waddell
Fite	Matthews	Powell	Wallace
Goode	Merrill	Rogers (Mobile)	Ward (Geneva)
Graves	Miller (Marengo)	St. John	Ward (Tuscaloosa)
Green	Miller (Sumter)	Sanders (Conecuh)	Ware
Grove	Molette	Sanders (Pike)	Webb
Guy	Morrow	Sanderson	Weldon
Hampton	Moxley	Shepherd	Winn
Harwood			

—65

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by The Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.'

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Byars	Deloney	Goode
Adcock	Cannon	Denson	Goodwyn
Anderson	Carter	Edmundson	Graves
Ashcraft	Christian	Edwards	Green
Baldwin	Cockrell	Fite	Grove
Bartlett	Cook	Frey	Guy
Burns	Darden	Golson	Johnson

Jones (Bullock)	Poole	Sanders (Pike)	Vickers
Lawler	Powell	Smith	Waddell
Lee	Quillin	Starnes	Wallace
Lovelace	Rankin	Stephens	Ward (Geneva)
Miller (Marengo)	Reeder	Stewart (Bibb)	Ward (Tuscaloosa)
Miller (Sumter)	Ringer	Stewart (Calhoun)	Ware
Molette	Rivers	Thompson	Webb
Morrow	Rogers (Mobile)	Tompkins	Weldon
Moxley	Sanders (Conecuh)	Tunstall	Winn
Pitts			

S. 385. A Bill to be entitled an act, to provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature, an amendment to the Constitution of Alabama authorizing a portion of Choctaw County in said state to levy and collect a tax of five mills in addition to all taxes now authorized.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment is as follows:

"That all that portion of Choctaw County in the State of Alabama, lying south of the Okatuppa Creek from the Tombigbee River up to the north line of Section 21, township 11, thence west to the Mississippi state line, is hereby created a special tax district. The governing body of Choctaw County shall have the right and power to levy and collect for public school purposes, in addition to all other taxes now authorized by law a tax not in excess of one-half of one percentum on all property situated within the tax district hereby created, based upon the valuation of such property in said district, as assessed for state taxation, provided such tax is authorized by a majority of the qualified electors of said district voting upon such proposition at an election called and held for the purpose of authorizing such tax. Such an election may be called at any time by the governing body of said county, and must be called by said governing body whenever said governing body is requested in writing by the governing board of education of said county, and such election must be called by said governing body upon a petition signed by two hundred or more qualified electors of said district and addressed to the Court of County Commissioners. Such election shall be held and conducted and the results canvassed, as now

provided by law for holding and conducting and canvassing the returns of an election to determine whether or not the three mill district school tax shall be levied and collected. The proceeds of the tax hereby authorized shall be used in all respects in accordance with law governing the handling and expenditure of the three mill district school tax."

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the state for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

Was read a third time at length and passed.

Yeas, 74; Nays, 0.

Yeas:

Messrs:

Adcock	Frey	Jordan (Washington)	Sanders (Conecuh)
Allen	Golson	Kirkpatrick	Sanders (Pike)
Anderson	Goode	Langdon	Sanderson
Ashcraft	Goodwyn	Lee	Shepherd
Baldwin	Graves	Lovelace	Shivers
Bartlett	Green	Matthews	Simpson
Brunson	Grove	Merrill	Starnes
Bryant	Hampton	Miller (Marengo)	Stephens
Burleson	Harwood	Miller (Sumter)	Stewart (Calhoun)
Burns	Hawkins	Molette	Tompkins
Byars	Hightower	Morrow	Vickers
Cannon	Hollis	Nipper	Waddell
Cockrell	Howard	Poole	Wallace
Darden	Howell	Powell	Ward (Geneva)
Deloney	Hubbard	Quillin	Ward (Tuscaloosa)
Denson	Hughes	Rankin	Webb
Edmundson	Johnson	Ringer	Weldon
Edwards	Jones (Cleburne)	Rogers (Mobile)	Winn
Fite	Jordan (Etowah)		

—74

Which was a three-fifths vote of the whole number elected to the House.

H. 1138. To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public Schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now author-

ized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Luck	Reeder
Adcock	Denson	McAdory	Ringer
Allen	Edmundson	Martin	Rivers
Anderson	Edwards	Matthews	Rogers (Mobile)
Ashcraft	Fite	Merrill	Shepherd
Bartlett	Frey	Miller (Marengo)	Simpson
Beebe	Golson	Miller (Sumter)	Stephens
Bryant	Goode	Molette	Thompson
Burns	Goodwyn	Morrow	Tompkins
Byars	Graves	Patterson	Tunstall
Cannon	Green	Pegues	Waddell
Carter	Grove	Pitts	Wallace
Christian	Guy	Poole	Ware
Cockrell	Hampton	Powell	Webb
Cook	Harwood	Quillin	Weldon
Darden	Hawkins	Rankin	Winn

—64

Nay:—Mr. Vickers—1.

(With substitute):

H. 1074. To authorize the tax assessor and tax collector in counties having a population of more than two hundred thousand inhabitants, according to the last or any subsequent federal census, to employ and fix the compensation of clerks or assistants; to require such officers to certify the names of such clerks or assistants, with amount due each, to the Board of Revenue or other governing body of such counties and require such Board of Revenue or other governing body to draw warrants on the county treasury for the payment of same; to provide a limit to such expenditure.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation. Said substitute being as follows:

Substitute for H. 1074:

H. 1074. A Bill to be entitled an Act to authorize the tax collector in counties having a population of more than two hundred thousand (200,000) according to the last or any subsequent Federal Census, to employ and fix the compensation of clerks or assistants; To require such officer to certify the names of such clerks or assistants, with the amount due each, to the Board of Revenue or other governing body of such counties; to require such governing body to draw warrants on the County Treasury

for the payment of same; to provide a limit to such expenditure.

Be it Enacted by the Legislature of Alabama:

Sec. 1. The tax collector of all counties having a population of more than two hundred thousand according to the last or any subsequent federal census are hereby authorized to employ such clerks or assistants as they deem necessary for the proper management of such office.

Sec. 2. Such officer is hereby authorized and required to certify the names of such clerks or assistants, together with the amount due each, to the Board of Revenue or other governing body of such counties at the end of each month and the Board of Revenue or other governing body of such counties are hereby authorized and required to draw warrants on the county treasury in favor of such clerks or assistants for the amount so certified, and such warrants shall be paid in the same manner warrants are now paid to county officers.

Sec. 3. The tax collector of such counties shall not be allowed to expend for clerks or assistants salaries an amount in excess of one-half of the gross earnings from such office for the preceding year; and in computing the amount allowed to be expended under the provisions of this Act, the salary of the tax collector of such counties must be included.

Sec. 4. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

And the substitute reported by the Standing Committee on Local Legislation was adopted.

Yeas, 63; Nays, 2.

Yeas:

Messrs:

Adcock	Goode	McAdory	Rankin
Allen	Graves	Martin	Reeder
Baldwin	Green	Matthews	Ringer
Bartlett	Grove	Merrill	Rivers
Beebe	Hawkins	Miller (Marengo)	Starnes
Bryant	Hollis	Miller (Sumter)	Stephens
Burns	Howard	Molette	Stewart (Bibb)
Byars	Howell	Morrow	Stewart (Calhoun)
Cannon	Hubbard	Moxley	Thompson
Carter	Hughes	Mullen	Tompkins
Cook	Jeter	Nipper	Tunstall
Darden	Langdon	Norman	Vickers
Deloney	Lawler	Owens	Wallace
Denson	Lee	Parish	Ware
Fite	Lovelace	Powell	Webb
Frey	Luck	Quillin	

—63

Nays:—Messrs. Edmondson and Simpson—2.

And said bill:

H. 1074. To authorize the tax assessor and tax collector in counties having a population of more than two hundred thousand inhabitants, according to the last or any subsequent federal census, to employ and fix the compensation of clerks or assistants; to require such officers to certify the names of such clerks or assistants, with amount due each, to the Board of Revenue or other governing body of such counties and require such Board or Revenue or other governing body to draw warrants on the county treasury for the payment of same; to provide a limit to such expenditure.

As amended was read a third time at length and lost.

Yeas, 37; Nays, 39.

Yeas:

Messrs:

Allen	Hightower	Merrill	Poole
Anderson	Howard	Miller (Marengo)	Rogers (Mobile)
Baldwin	Hubbard	Miller (Sumter)	Sanderson
Bartlett	Jeter	Morrow	Smith
Brunson	Jones (Cleburne)	Mullen	Tompkins
Cockrell	Jordan (Etowah)	Nipper	Waddell
Denson	Jordan (Washington)	Parish	Wallace
Frey	Langdon	Patterson	Webb
Golson	McAdory	Pitts	Winn
Hawkins			

—37

Nays:

Messrs:

Adcock	Deloney	Hollis	Simpson
Ashcraft	Edmundson	Jones (Bullock)	Starnes
Beebe	Edwards	Lovelace	Stephens
Bryant	Fite	Luck	Stewart (Bibb)
Burleson	Goode	Molette	Tunstall
Byars	Graves	Moxley	Vickers
Cannon	Green	Powell	Ward (Geneva)
Christian	Grove	Rankin	Ward (Tuscaloosa)
Cook	Guy	Ringer	Weldon
Darden	Harwood	Sanders (Pike)	

—39

Mr. Simpson moved to reconsider the vote by which the bill H. 1074 was lost and then moved to table the motion to reconsider and the motion to table prevailed.

S. 393. To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of the revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as

to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas: .

Messrs: .

Adcock	Frey	Lee	Reeder
Allen	Graves	Lovelace	Ringer
Anderson	Green	McAdory	Rivers
Ashcraft	Grove	Matthews	Smith
Baldwin	Harwood	Miller (Sumter)	Starnes
Bartlett	Hightower	Morrow	Stephens
Beebe	Hollis	Moxley	Thompson
Brunson	Howard	Mullen	Tompkins
Bryant	Hubbard	Nipper	Tunstall
Burleson	Hughes	Norman	Waddell
Burns	Jeter	Pegues	Wallace
Byars	Johnson	Pitts	Ward (Tuscaloosa)
Cannon	Jones (Bullock)	Poole	Ware
Cook	Jones (Cleburne)	Powell	Webb
Darden	Jordan (Etowah)	Quillin	Weldon
Denson	Jordan (Washington)	Rankin	Winn
Edwards			

—65

H. 1088. To require all warrants, bonds and commitments, where defendants are held or bound over to await the action of the grand jury in Walker County, Alabama, to be returned to and filed with the clerk of the circuit court of Walker County, Alabama, to be kept and filed and furnished to the solicitor or foreman of the grand jury on demand, and providing that said clerk shall make a record of such papers, and further providing that the clerk of the circuit court of Walker County, as ex-officio clerk of the county court of Walker County, shall also make a record of all bonds, commitments and warrants in all cases hereafter filed in said county court and providing that such records or certified copies of same shall have the same legal effect as the originals when the original or any part of same is lost, and pro-

viding that the cost for making such record shall be taxed and paid as other cost in criminal cases is taxed and paid.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Ashcraft

Baldwin

Bartlett

Beebe

Cockrell

Cook

Darden

Deloney

Denson

Edmundson

Edwards

Fite

Frey

Golson

Graves

Green

Grove

Guy

Hampton

Harwood

Hawkins

Hollis

Howard

Jeter

Johnson

Jones (Bullock)

Jones (Clebune)

Jordan (Etowah)

Langdon

Lawler

Lee

Lovelace

Luck

McAdory

Martin

Matthews

Mullen

Nipper

Norman

Owens

Parish

Pegues

Poole

Powell

Quillin

Rankin

Reeder

Ringer

Rivers

Rogers (Mobile)

St. John

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shivers

Simpson

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Thompson

Tompkins

Tunstall

—64

Nay:—Mr. Shepherd—1.

S. 399. An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax on all property situated in Mobile County at a rate of not exceeding one tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present ses-

sion of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901, which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Was read a third time at length and passed.

Yeas, 69; Nays, 1.

Yeas:

Messrs:

Adcock	Edwards	Hollis	Miller (Marengo)
Anderson	Fite	Howard	Molette
Baldwin	Frey	Hubbard	Moxley
Bartlett	Golson	Hughes	Nipper
Beebe	Goode	Jeter	Pegues
Bryant	Goodwyn	Johnson	Pitts
Burleson	Graves	Jones (Cleburne)	Poole
Burns	Green	Jordan (Etowah)	Powell
Byars	Grove	Kirkpatrick	Quillin
Cannon	Guy	Langdon	Rivers
Cook	Hampton	Lovelace	Rogers (Mobile)
Darden	Harwood	McAdory	Sanders (Conecuh)
Deloney	Hawkins	Matthews	Sanders (Pike)
Denson	Hightower	Merrill	Sanderson

Shepherd	Stephens	Waddell	Ware
Simpson	Stewart (Calhoun)	Wallace	Webb
Smith	Tompkins	Ward (Geneva)	Weldon
Starnes			

—69

Nay:—Mr. Vickers—1.

H. 1151. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Kirkpatrick	Pitts
Adcock	Deloney	Langdon	Poole
Allen	Denson	Lawler	Powell
Anderson	Goode	Lovelace	Quillin
Ashcraft	Goodwyn	Miller (Marengo)	Rankin
Baldwin	Graves	Miller (Sumter)	Reeder
Bartlett	Green	Molette	Ringer
Beebe	Grove	Morrow	Rivers
Brunson	Hubbard	Moxley	Rogers (Mobile)
Bryant	Hughes	Mullen	Sanders (Conecuh)
Burleson	Jeter	Nipper	Sanders (Pike)
Burns	Johnson	Norman	Sanderson
Cannon	Jones (Bullock)	Owens	Shepherd
Carter	Jones (Cleburne)	Parish	Shivers
Christian	Jordan (Etowah)	Patterson	Simpson
Cockrell	Jordan (Washington)	Pegues	Smith
Cook			

—65

H. 1154. For the relief of M. V. Henry, Treasurer of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	Miller (Marengo)	Starnes
Allen	Hampton	Miller (Sumter)	Stephens
Anderson	Harwood	Molette	Stewart (Bibb)
Baldwin	Hightower	Owens	Stewart (Calhoun)
Bartlett	Hollis	Parish	Thompson
Brunson	Howard	Patterson	Tompkins
Bryant	Hubbard	Rivers	Tunstall
Cannon	Jones (Bullock)	Rogers (Mobile)	Vickers
Carter	Jones (Cleburne)	St. John	Waddell
Cockrell	Jordan (Etowah)	Sanders (Conecuh)	Wallace
Deloney	Jordan (Washington)	Sanders (Pike)	Ward (Geneva)
Denson	Kirkpatrick	Sanderson	Ward (Tuscaloosa)
Edmundson	Luck	Shepherd	Ware
Fite	McAdory	Shivers	Webb
Frey	Matthews	Simpson	Weldon
Graves	Merrill	Smith	Winn
Green			

—65

S. 505. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court of Conecuh, County, Alabama, and empowering said clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Jordan (Etowah)	Nipper
Adcock	Goode	Jordan (Washington)	Norman
Allen	Goodwyn	Kirkpatrick	Owens
Anderson	Graves	Langdon	Parish
Ashcraft	Guy	Lawler	Patterson
Beebe	Hampton	Luck	Pegues
Burns	Harwood	McAdory	Pitts
Byars	Hawkins	Martin	Poole
Cannon	Hightower	Matthews	Powell
Carter	Hollis	Merrill	Quillin
Christian	Howard	Miller (Marengo)	Rankin
Cockrell	Hubbard	Miller (Sumter)	Reeder
Cook	Hughes	Molette	Ringer
Darden	Johnson	Morrow	Ware
Deloney	Jones (Bullock)	Moxley	Weldon
Edmundson	Jones (Cleburne)	Mullen	Winn
Edwards			

—65

H. 1146. To make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this Act.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cook	Hubbard	Moxley
Adcock	Darden	Hughes	Mullen
Anderson	Fite	Jeter	Nipper
Ashcraft	Frey	Johnson	Parish
Baldwin	Goode	Jones (Bullock)	Pegues
Bartlett	Graves	Jones (Cleburne)	Pitts
Brunson	Green	Jordan (Etowah)	Poole
Bryant	Grove	Jordan (Washington)	Powell
Burleson	Guy	Kirkpatrick	Quillin
Byars	Hampton	Langdon	Rankin
Cannon	Harwood	Lawler	Reeder
Christian	Hawkins	Lee	Ringer
Cockrell	Howard	Lovelace	Rivers

Rogers (Mobile)	Shepherd	Thompson	Ware
Sanders (Conecuh)	Smith	Tompkins	Webb
Sanders (Pike)	Stephens	Ward (Tuscaloosa)	Weldon
Sanderson			

—65

S. 511. To amend the caption and the body of an Act entitled "An Act" to enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920 or any subsequent Federal census; to require all cities having a population over 45,000 and less than 100,000, according to the Federal census of 1920, or any subsequent Federal census, which are located in counties having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920, or any subsequent Federal census, to pay one-half the compensation of such humane officers; and to require said counties to pay one-half the compensation of such humane officers; to require said counties and cities to furnish an automobile to such humane officers and to pay for its upkeep and the fuel used; to repeal all conflicting laws.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hawkins	Molette	Smith
Adcock	Hightower	Morrow	Starnes
Allen	Hollis	Powell	Stephens
Bartlett	Howard	Quillin	Stewart (Bibb)
Beebe	Howell	Rankin	Stewart (Calhoun)
Burns	Hubbard	Reeder	Thompson
Byars	Hughes	Ringer	Tompkins
Carter	Jeter	Rivers	Tunstall
Cook	Johnson	Rogers (Mobile)	Vickers
Darden	Luck	St. John	Waddell
Deloney	McAdory	Sanders (Conecuh)	Wallace
Denson	Martin	Sanders (Pike)	Ward (Geneva)
Edmundson	Matthews	Sanderson	Ware
Edwards	Merrill	Shepherd	Webb
Golson	Miller (Marengo)	Shivers	Weldon
Graves	Miller (Sumter)	Simpson	Winn
Harwood			

—65

H. 1112. To amend Section 2 of a Local Act approved September 19, 1923, entitled an Act to provide additional duties, and confer additional powers on each member of the Court of County Commissioners of Crenshaw County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district: to extend the time now allowed by law to the County Commissioners of Crenshaw County for the discharge of their official duties, and to fix their salary and mileage.

Was read a third time at length and passed.
Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Matthews	Reeder
Bartlett	Grove	Merrill	Ringer
Beebe	Hubbard	Miller (Marengo)	Rivers
Brunson	Hughes	Miller (Sumter)	St. John
Bryant	Jeter	Molette	Sanderson
Burleson	Johnson	Morrow	Shepherd
Burns	Jones (Bullock)	Moxley	Shivers
Byars	Jordan (Etowah)	Mullen	Simpson
Cannon	Jordan (Washington)	Nipper	Smith
Carter	Kirkpatrick	Norman	Starnes
Desear	Langdon	Pegues	Stephens
Fite	Lawler	Pitts	Tompkins
Frey	Lee	Poole	Tunstall
Golson	Lovelace	Powell	Vickers
Goode	Luck	Quillin	Waddell
Goodwyn	McAdory	Rankin	Wallace
Graves			

—65

H. 1108. To establish a Board of Revenue for Wilcox County, and for the abolishment of the Court of County Commissioners of said County.

Was taken up. Mr. Goode offered the following amendment to the Bill H. 1108.

Amend Section 2 by striking out the last sentence of Section 2 and substituting in lieu thereof the following: "The member of the Board of Revenue from the First District, as provided herein, shall be President of the Board and shall hold the office of President for four years and until his successor is elected and qualified. In the absence of the President the members of the Board present at any meeting of the Board shall elect one of their members as acting President, who shall be authorized to execute all contracts and as such acting President assume all the powers and duties of the President during such absence. No member of the Board may accept any employment or compensation at the hands of the Board.

Amend Section 10 so as to read as follows: "Section 10. That the members of said Board of Revenue shall each be entitled to Five Dollars (\$5.00) per day for each day of actual service rendered in attending meetings of said Board, and five cents per mile and ferriage for traveling to and from the sitting of said Board and to and from the place where any service is rendered by them, to be paid out of the county Treasury on certificates or warrants signed by the President of the Board.

Amend Section 7 by inserting after the word "Compensation" and before the word "and" in line 3 of said section, the words "not to exceed six hundred dollars (\$600.00) per annum."

And the amendment was adopted.
Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Cook	Kirkpatrick	Shivers
Adcock	Darden	Luck	Simpson
Allen	Edmundson	McAdory	Smith
Anderson	Edwards	Matthews	Starnes
Ashcraft	Goode	Merrill	Stephens
Baldwin	Guy	Miller (Marengo)	Stewart (Bibb)
Bartlett	Hampton	Miller (Sumter)	Stewart (Calhoun)
Beebe	Harwood	Molette	Thompson
Brunson	Hawkins	Nipper	Tompkins
Bryant	Hightower	Norman	Tunstall
Burleson	Hollis	Rogers (Mobile)	Vickers
Burns	Howard	St. John	Waddell
Byars	Jones (Bullock)	Sanders (Conecuh)	Wallace
Cannon	Jones (Cleburne)	Sanders (Pike)	Ward (Geneva)
Carter	Jordan (Etowah)	Sanderson	Ward (Tuscaloosa)
Christian	Jordan (Washington)	Shepherd	Ware
Cockrell			

—65

And said bill:

H. 1108. To establish a Board of Revenue for Wilcox County, and for the abolishment of the Court of County Commissioners of said County.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Langdon	Pegues
Adcock	Darden	Lawler	Pitts
Allen	Deloney	Lee	Poole
Anderson	Edwards	Lovelace	Powell
Ashcraft	Fite	McAdory	Quillin
Baldwin	Frey	Matthews	Rankin
Bartlett	Golson	Miller (Marengo)	Reeder
Beebe	Goode	Miller (Sumter)	Ringer
Brunson	Goodwyn	Molette	Rivers
Bryant	Graves	Morrow	Rogers (Mobile)
Burleson	Green	Moxley	Sanders (Conecuh)
Burns	Grove	Mullen	Sanders (Pike)
Byars	Guy	Nipper	Ware
Cannon	Hollis	Norman	Webb
Carter	Jeter	Owens	Weldon
Christian	Kirkpatrick	Patterson	Winn
Cockrell			

—65

H. 1097. To amend section 14 of An Act entitled An Act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities

and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriffs fees; approved August 28, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hightower	Patterson	Smith
Anderson	Johnson	Pegues	Starnes
Ashcraft	Jones (Bullock)	Pitts	Stephens
Baldwin	Jones (Clebune)	Powell	Stewart (Bibb)
Bartlett	Jordan (Etowah)	Quillin	Stewart (Calhoun)
Branson	Jordan (Washington)	Rankin	Thompson
Bryant	Kirkpatrick	Reeder	Tompkins
Burleson	Langdon	Ringer	Tunstall
Christian	Lovelace	Rivers	Vickers
Cockrell	McAdory	Rogers (Mobile)	Waddell
Edmundson	Martin	Sanders (Conecuh)	Wallace
Edwards	Matthews	Sanders (Pike)	Ward (Geneva)
Goodwyn	Merrill	Sanderson	Ward (Tuscaloosa)
Green	Miller (Marengo)	Shepherd	Ware
Hampton	Miller (Sumter)	Shivers	Weldon
Harwood	Molette	Simpson	Winn
Hawkins			

—65

S. 544. To amend Section 14 of an Act entitled an Act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event

the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees; approved August 28, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Martin	Rankin
Adcock	Green	Merrill	Reeder
Allen	Grove	Miller (Marengo)	Ringer
Baldwin	Guy	Molette	Rivers
Bartlett	Harwood	Morrow	Rogers (Elmore)
Bryant	Hawkins	Moxley	Rogers (Mobile)
Burleson	Howard	Mullen	St. John
Cannon	Howell	Nipper	Sanders (Conecuh)
Carter	Hubbard	Norman	Sanders (Pike)
Cook	Hughes	Owens	Sanderson
Darden	Jones (Bullock)	Parish	Shepherd
Deloney	Kirkpatrick	Pegues	Shivers
Edwards	Lawler	Pitts	Simpson
Fite	Lee	Poole	Smith
Frey	Luck	Powell	Starnes
Goode	McAdory	Quillin	Winn
Goodwyn			

—65

S. 396. To amend Sections 5 and 14 of an Act approved August 28, 1923, entitled an Act to establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve, to abolish the office of justice of the peace and notary public with powers of justices of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the

judge of said court may practice law, to provide for payment of sheriff's fees.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Green	Miller (Sumter)	Starnes
Allen	Grove	Molette	Stephens
Ashcraft	Guy	Mullen	Stewart (Bibb)
Baldwin	Hubbard	Nipper	Stewart (Calhoun)
Burleson	Hughes	Norman	Thompson
Cannon	Jeter	Owens	Tompkins
Carter	Johnson	Parish	Tunstall
Christian	Jones (Bullock)	Pegues	Vickers
Cockrell	Jones (Clebune)	Pitts	Waddell
Darden	Jordan (Etowah)	Poole	Wallace
Deloney	Jordan (Washington)	Powell	Ward (Geneva)
Denson	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Edwards	Langdon	Rankin	Ware
Fite	Lawler	Reeder	Webb
Frey	Lee	Ringer	Weldon
Golson	Miller (Marengo)	Rivers	Winn
Graves			

—65

H. 1155. To better provide for the pay of salaried deputy sheriffs of Walker County out of the fine and forfeiture fund of said county, and to prescribe the method for paying same and the duties of said deputies.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Frey	Luck	Sanders (Pike)
Adcock	Golson	McAdory	Sanderson
Allen	Goode	Martin	Stewart (Bibb)
Anderson	Guy	Miller (Marengo)	Stewart (Calhoun)
Ashcraft	Hampton	Miller (Sumter)	Thompson
Baldwin	Harwood	Parish	Tompkins
Bartlett	Hawkins	Poole	Tunstall
Carter	Hightower	Powell	Vickers
Christian	Hollis	Quillin	Waddell
Cook	Howard	Rankin	Wallace
Darden	Hubbard	Reeder	Ward (Geneva)
Deloney	Hughes	Ringer	Ward (Tuscaloosa)
Denson	Johnson	Rivers	Ware
Edmundson	Lawler	Rogers (Mobile)	Webb
Edwards	Lee	St. John	Weldon
Fite	Lovelace	Sanders (Conecuh)	Winn

—64

Nay:—Mr. Shepherd—1.

S. 443. To amend Section 8 of an act to provide and create a commission form of government and to authorize the adoption

of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government, approved April 8, 1911.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hawkins	Owens	Starnes
Ashcraft	Hubbard	Patterson	Stephens
Brunson	Hughes	Pitts	Stewart (Bibb)
Burleson	Jones (Bullock)	Poole	Stewart (Calhoun)
Carter	Jones (Cleburne)	Rankin	Thompson
Darden	Jordan (Etowah)	Ringer	Tompkins
Deloney	Jordan (Washington)	Rivers	Tunstall
Denson	Kirkpatrick	Rogers (Mobile)	Vickers
Edmundson	Langdon	St. John	Waddell
Edwards	McAdory	Sanders (Conecuh)	Wallace
Fite	Martin	Sanders (Pike)	Ward (Geneva)
Goode	Morrow	Sanderson	Ward (Tuscaloosa)
Goodwyn	Moxley	Shepherd	Ware
Graves	Mullen	Shivers	Webb
Green	Nipper	Simpson	Weldon
Grove	Norman	Smith	Winn
Harwood			

—65

H. 1065. To authorize and empower the Court of County Commissioners of Walker County, Alabama, to pay out of the general funds of said county not exceeding \$3,600 per year for hospital service and treatment of indigent citizens of the county, and to prescribe who shall be entitled to said treatment and how the same may be obtained.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Anderson	Bartlett	Bryant
Adcock	Ashcraft	Beebe	Burleson
Allen	Baldwin	Brunson	Burns

Byars	Lawler	Owens	Stewart (Calhoun)
Cannon	Lee	Parish	Thompson
Carter	Lovelace	Pegues	Tompkins
Christian	Luck	Pitts	Tunstall
Cockrell	McAdory	Powell	Vickers
Cook	Martin	Reeder	Waddell
Darden	Matthews	Rivers	Wallace
Deloney	Merrill	Shivers	Ward (Geneva)
Denson	Morrow	Simpson	Ward (Tuscaloosa)
Golson	Moxley	Smith	Ware
Guy	Mullen	Starnes	Webb
Hollis	Nipper	Stephens	Weldon
Langdon	Norman	Stewart (Bibb)	Winn

—64

Nay:—Mr. Shepherd—1.

H. 1089. To confirm and ratify and make valid claims or warrants filed against the Fine and Forfeiture fund of Walker County, Alabama, by Mae Amiss Ashmore, (Nee Mae Amiss) Clerk of the Circuit Court of Walker County and John W. Crocker, Ex Clerk of said Court for making final records in criminal or misdemeanor cases in the County Court of Walker County while acting as ex officio Clerk of said Court, providing that not more than fifteen cents per hundred words shall be paid for said work, and that no such work shall be paid for that was not actually done before the claim or warrant was filed, and providing, that such claims or warrants shall be paid in their regular order according to the time they were filed with reference to other claims or warrants filed against said Fine and Forfeiture Fund.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Bryant	Howard	Martin	Rogers (Mobile)
Burleson	Hubbard	Matthews	St. John
Burns	Hughes	Merrill	Shivers
Byars	Jeter	Miller (Marengo)	Simpson
Frey	Johnson	Miller (Sumter)	Smith
Goode	Jones (Bullock)	Molette	Starnes
Goodwyn	Jones (Cleburne)	Parish	Stephens
Graves	Jordan (Etowah)	Patterson	Vickers
Green	Jordan (Washington)	Pegues	Waddell
Grove	Kirkpatrick	Pitts	Wallace
Guy	Langdon	Poole	Ward (Geneva)
Hampton	Lawler	Powell	Ward (Tuscaloosa)
Harwood	Lee	Quillin	Ware
Hawkins	Lovelace	Rankin	Webb
Hightower	Luck	Reeder	Weldon
Hollis	McAdory	Ringer	Winn

—64

Nay:—Mr. Shepherd—1.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:
Gentlemen:

I herewith return to the House of Representatives, the body in which it originated, House Bill Number 391 without my approval. I suggest the following executive amendment, which, if concurred in, will render the Bill free from objection:

Amend Section 52 Subdivision "A" so as to read as follows:

(a) The State Highway Commission is hereby authorized to designate particularly dangerous grade crossings of steam or interurban railways by highways and shall erect signs thereat notifying drivers of vehicles upon any such highway to come to a complete stop before crossing such railway tracks, and whenever such crossing is so designated and sign-posted, it shall be unlawful for the driver of any vehicle to fail to stop before traversing such crossing, and the violation hereof shall constitute a misdemeanor. Nothing contained in this Act is intended to abrogate or modify the present Alabama Doctrine of "Stop, Look and Listen" obtaining in the Courts of Alabama.

Respectfully,
(Signed) Bibb Graves,
Governor.

August 19, 1927.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency the Governor. Said amendment of the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Burleson
Burns
Cannon
Cockrell
Cook
Darden
Deloney
Edmundson
Edwards

Goode
Graves
Green
Grove
Guy
Hampton
Harwood
Hawkins
Hightower
Howell
Hubbard
Jeter
Johnson
Jones (Bullock)
Jones (Cleburne)
Jordan (Washington)

Langdon
Lee
Luck
McAdory
Matthews
Merrill
Miller (Marengo)
Morrow
Mullen
Nipper
Patterson
Pegues
Pitts
Poole
Powell
Quillin

Ringer
Rivers
Rogers (Mobile)
Sanders (Pike)
Shepherd
Simpson
Smith
Stephens
Stewart (Calhoun)
Tompkins
Vickers
Waddell
Wallace
Ward (Geneva)
Ward (Tuscaloosa)
Winn

—65

And said Bill:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the

establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define or provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; Offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this act, except such laws pertaining to revenue.

And said bill as amended by the amendment proposed by His Excellency, the Governor, was again read a third time, at length, and passed.

Yeas, 59; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edwards	McAdory	Sanders (Pike)
Adcock	Fite	Martin	Shepherd
Allen	Green	Matthews	Simpson
Anderson	Grove	Merrill	Smith
Ashcraft	Hawkins	Miller (Marengo)	Starnes
Baldwin	Hightower	Miller (Sumter)	Stephens
Beebe	Howell	Molette	Tompkins
Burleson	Hubbard	Mullen	Vickers
Burns	Jeter	Nipper	Waddell
Cockrell	Johnson	Pegues	Wallace
Cook	Jones (Cleburne)	Pitts	Ward (Geneva)
Darden	Jordan (Washington)	Poole	Ward (Tuscaloosa)
Deloney	Kirkpatrick	Quillin	Ware
Denson	Lee	Ringer	Winn
Edmundson	Lovelace	Rogers (Mobile)	

—59

Nay:—Mr. Cannon—1.

BILLS ON THIRD READING

S. 405. To relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare Tax Collector's Abstracts from said assessment lists.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Lawler	Powell
Baldwin	Edwards	Lee	Quillin
Bartlett	Fite	Lovelace	Rankin
Beebe	Frey	Luck	Reeder
Brunson	Golson	McAdory	Ringer
Bryant	Guy	Martin	Rivers
Burleson	Hampton	Matthews	Shepherd
Burns	Harwood	Merrill	Shivers
Byars	Hawkins	Molette	Simpson
Cannon	Hightower	Morrow	Smith
Carter	Hollis	Moxley	Starnes
Christian	Howard	Mullen	Stephens
Cockrell	Hughes	Nipper	Tunstall
Cook	Jeter	Pegues	Vickers
Darden	Johnson	Pitts	Waddell
Deloney	Langdon	Poole	Wallace
Denson			

—65

H. 1126. To create in all cities of the State of Alabama which have a population of as much as one hundred thousand people according to the last Federal census, or which shall have such population according to any such census that may be hereafter taken, special funds to be known as Policemen's Pension and Relief Funds, same created in connection with the regularly organized and paid police departments of such cities; to provide for the setting apart of such funds, to create a pension and relief system applicable to members of the police departments of such cities; to provide benefits under this Act for and to members of such departments as may be brought into such departments by merger from other municipalities in addition to members of such departments otherwise existing; to provide for the computation as to age or time of service of any member of any police department affected by this Act so that such members shall have added to his present service in the police department of the respective cities provided for herein any other service he may have had in either the fire or police department of his said city, and also as a police officer in any municipality which has been merged or taken into his said city; to provide for the creation of such funds and for appropriations to make up deficit

therein and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall come under the provisions of this Act; to provide who shall hear and decide applications for pensions and relief, and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the police department in such cities during their disability, and for the retirement of such members on pension, either by reason of term of service or disability; to provide for the pensioning of members of such police department after twenty years of service therein, the last five of which are consecutive years service; to provide for allowances or benefits to widows and children and dependent widowed mothers of such members of such police department in the event of death of such member; to provide for the appropriation for funeral expenses upon the death of such member; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide for applications to be made by widows and children or widowed mother for benefits; to provide that members receiving benefits shall be bona fide residents of the county in which the city is located which creates the fund from which such members, respectively, receives benefit; to provide for gifts, donations, legacies or otherwise to be made to such funds and for the appointment of trustees for all purposes in connection therewith; and providing that any section or provision of the Act being held unconstitutional shall not affect the validity of any other section or provision; to provide when the Act shall take effect; to provide that all laws and parts of laws in conflict with the provisions of the Act be repealed.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Jordan (Washington)	Rogers (Mobile)
Adcock	Golson	Kirkpatrick	St. John
Allen	Goode	Langdon	Sanders (Conecuh)
Anderson	Goodwyn	Luck	Sanders (Pike)
Ashcraft	Graves	McAdory	Sanderson
Baldwin	Green	Martin	Simpson
Bartlett	Grove	Matthews	Stewart (Bibb)
Carter	Harwood	Merrill	Stewart (Calhoun)
Christian	Hawkins	Miller (Marengo)	Thompson
Cockrell	Hightower	Miller (Sumter)	Tompkins
Cook	Hollis	Molette	Ward (Geneva)
Darden	Howard	Morrow	Ward (Tuscaloosa)
Deloney	Hubbard	Moxley	Ware
Denson	Jones (Bullock)	Mullen	Webb
Edmundson	Jones (Cleburne)	Nipper	Weldon
Edwards	Jordan (Etowah)	Owens	Winn
Fite			

H. 595. (With substitute) To amend Section 6693 of the Code of Alabama of 1923.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary. Said substitute being as follows:

Substitute by Committee for H. 595 A Bill to be entitled an Act to amend Section 6693 of the Code of Alabama of 1923.

Be it enacted by the Legislature of Alabama:

That Section 6693 of the Code of Alabama of 1923 be and the same is hereby amended so as to read as follows:

6693. Classification and arrangement of cases. The presiding judge shall classify the cases and assign those of one class to one docket and those of another class to another docket, and shall assign all appeal and certiorari cases in which no jury is demanded, to the docket of cases to be tried without a jury, and shall take care to so arrange the dockets as that every judge may have a docket on which there are enough cases to occupy his full time for the week, and that no more cases are set for any judge to try than he can probably try, or dispose of; provided, however, that in circuits now having or which may hereafter have as many as ten judges that the judge of the tenth division shall have the power and authority to set the docket of cases to be tried by such judge of such tenth division, and it shall be the duty of such judge in setting such docket to give preference to cases appealed from recorders' courts or other municipal courts exercising the jurisdiction of recorders' courts by whatsoever name called or designated, and to try such appealed cases prior to and in preference to the trial of all other cases; it being the purpose of this act to expedite the trial of such appealed cases, the public safety and welfare requiring it.

And the substitute was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Carter	Green	Kirkpatrick
Adcock	Christian	Grove	Langdon
Allen	Cockrell	Guy	Lawler
Anderson	Cook	Hampton	Lee
Ashcraft	Darden	Harwood	Lovell
Baldwin	Deloney	Hawkins	Morrow
Bartlett	Denson	Hightower	Moxley
Beebe	Edmundson	Hollis	Mullen
Brunson	Fite	Howard	Nipper
Bryant	Frey	Hubbard	Owens
Burleson	Golson	Hughes	Parish
Burns	Goode	Jeter	Patterson
Byars	Goodwyn	Johnson	Pegues
Cannon	Graves	Jordan (Washington)	Rankin

Reeder
Shepherd
Shivers

Simpson
Tompkins

Tunstall
Vickers

Waddell
Wallace

—65

And the Bill:

H. 595. To amend Section 6693 of the Code of Alabama of 1923.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Bartlett	Jeter	Pitts	Starnes
Cockrell	Jones (Bullock)	Poole	Stephens
Cook	Jones (Cleburne)	Powell	Stewart (Bibb)
Darden	Jordan (Washington)	Quillin	Stewart (Calhoun)
Deloney	Kirkpatrick	Rankin	Thompson
Denson	Langdon	Reeder	Tompkins
Edmundson	Lawler	Ringer	Tunstall
Edwards	Luck	Rogers (Mobile)	Vickers
Fite	McAdory	St. John	Waddell
Frey	Martin	Sanders (Conecuh)	Wallace
Goode	Matthews	Sanders (Pike)	Ward (Geneva)
Goodwyn	Merrill	Sanderson	Ward (Tuscaloosa)
Guy	Owens	Shepherd	Ware
Hampton	Parish	Shivers	Webb
Harwood	Patterson	Simpson	Weldon
Hawkins	Pegues	Smith	Winn
Hightower			

—65

S. 441. (with amendment) To authorize Jefferson County, Alabama, to acquire by condemnation, the whole or a part of block twenty-one known as Woodrow Wilson Park, in the city of Birmingham, Alabama, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation. Said amendment being as follows:

Amend Senate Bill No. 441 by striking the following words from the title and body of said bill:

“or a part”

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Bartlett	Byars	Darden
Adcock	Beebe	Cannon	Deloney
Allen	Brunson	Carter	Denson
Anderson	Bryant	Christian	Edmundson
Ashcraft	Burleson	Cockrell	Edwards
Baldwin	Burns	Cook	Fite

Frey	Hollis	Morrow	Quillin
Golson	Howard	Moxley	Rankin
Goode	Hubbard	Mullen	Reeder
Graves	Hughes	Nipper	Ringer
Green	Jeter	Owens	Rivers
Grove	Johnson	Parish	St. John
Guy	Langdon	Pegues	Sanderson
Hampton	Lawler	Pitts	Shepherd
Harwood	Lee	Poole	Simpson
Hawkins	McAdory	Powell	Starnes
Hightower			

—65

And said Bill:

S. 441. To authorize Jefferson County, Alabama, to acquire by condemnation, the whole or a part of block twenty-one known as Woodrow Wilson Park, in the city of Birmingham, Alabama, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Brunson	Hampton	McAdory	Starnes
Bryant	Harwood	Martin	Stephens
Burleson	Hawkins	Matthews	Stewart (Bibb)
Burns	Hightower	Merrill	Stewart (Calhoun)
Byars	Hollis	Miller (Marengo)	Thompson
Cannon	Howard	Miller (Sumter)	Tompkins
Carter	Jones (Bullock)	Mullen	Tunstall
Christian	Jones (Clebune)	Nipper	Vickers
Cockrell	Jordan (Etowah)	Rogers (Mobile)	Waddell
Edmundson	Jordan (Washington)	St. John	Wallace
Edwards	Kirkpatrick	Sanders (Conecuh)	Ward (Geneva)
Goode	Langdon	Sanders (Pike)	Ward (Tuscaloosa)
Goodwyn	Lawler	Sanderson	Ware
Graves	Lee	Shepherd	Webb
Green	Lovelace	Shivers	Weldon
Grove	Luck	Simpson	Winn
Guy			

—65

H. 1102. To regulate the appointment of a Guardian ad Litem for infants and insane persons in Counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Allen	Ashcraft	Bartlett
Adcock	Anderson	Baldwin	Christian

Cockrell	Jeter	Owens	Sanderson
Cook	Johnson	Parish	Shepherd
Darden	Lawler	Patterson	Shivers
Deloney	Lee	Pegues	Simpson
Denson	Lovelace	Pitts	Smith
Edmundson	Luck	Poole	Starnes
Goode	McAdory	Powell	Stephens
Goodwyn	Martin	Quillin	Tompkins
Graves	Matthews	Rankin	Tunstall
Green	Merrill	Reeder	Vickers
Grove	Molette	Ringer	Ware
Hollis	Morrow	Rivers	Webb
Howard	Moxley	St. John	Weldon
Hubbard	Mullen	Sanders (Pike)	Winn
Hughes			

—65

H. 1037. To fix the compensation of Circuit Clerks of all Counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal Census.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hawkins	Moxley	Shepherd
Baldwin	Hollis	Mullen	Shivers
Bartlett	Howard	Nipper	Simpson
Beebe	Howell	Owens	Smith
Brunson	Hubbard	Parish	Starnes
Bryant	Jeter	Pegues	Stephens
Burleson	Lawler	Pitts	Thompson
Burns	Lee	Poole	Tompkins
Byars	Lovelace	Powell	Tunstall
Cannon	Luck	Quillin	Vickers
Carter	McAdory	Rankin	Waddell
Christian	Martin	Reeder	Wallace
Edmundson	Matthews	Ringer	Ware
Fite	Merrill	Rogers (Mobile)	Webb
Frey	Molette	St. John	Weldon
Grove	Morrow	Sanderson	Winn
Guy			

—65

S. 347. To provide for the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Ashcraft	Bartlett	Brunson
Allen	Baldwin	Beebe	Bryant

Burleson	Graves	Lee	Quillin
Burns	Green	McAdory	Rankin
Byars	Grove	Merrill	Reeder
Cannon	Guy	Molette	Ringer
Carter	Hampton	Morrow	Rivers
Cockrell	Harwood	Moxley	Shivers
Cook	Hawkins	Mullen	Simpson
Darden	Hollis	Nipper	Vickers
Deloney	Howard	Owens	Waddell
Denson	Hubbard	Parish	Wallace
Edmundson	Hughes	Pegues	Ware
Fite	Jeter	Pitts	Webb
Frey	Johnson	Poole	Weldon
Golson	Lawler	Powell	Winn
Goode			

—65

(With substitute) :

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties, compensation; to provide for and regulate jury trial therein; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeals to the Circuit Court.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary. Said Committee substitute being as follows :

COMMITTEE SUBSTITUTE FOR H. 783.

H. 783. A Bill to be entitled an act to establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to prescribe its jurisdiction and procedure; to provide for its judge, clerks and other officers, their appointment, duties, compensation and to fix their term of office; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeals to the Circuit Court.

Be it enacted by the Legislature of Alabama :

Section 1. That there is hereby established in and for Jefferson County, except that part of Jefferson County herein particularly described, an inferior court of law which shall be called the Birmingham Court of Common Pleas.

Section 2. This court shall have and exercise concurrently with all other courts having like jurisdiction in said county, for and in all of Jefferson County, except territory hereinafter excluded and defined, all the jurisdiction and power which now are, or hereafter may be by law conferred upon the circuit courts of this state, in actions at law where the amount involved does not exceed three hundred dollars.

Section 3. The jurisdiction of this court will not extend over the portion of Jefferson County which is included in the follow-

ing precincts, to-wit: Williams precinct No. 1, Jonesboro Precinct No. 2, Parson's precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwins Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55.

Section 4. This Court shall have no jurisdiction of criminal offenses and no jurisdiction in equity, nor suits in ejectment.

Section 5. This court shall have authority;

(1) To exercise original jurisdiction of suits and actions at law when the matter or sum in controversy does not exceed three hundred dollars.

(2) To punish by fine not exceeding fifty dollars and by imprisonment not exceeding five days all persons in contempt of said court.

(3) To prescribe rules and regulations as to pleadings and practice, as to the time of filing and settling pleadings, and to make any necessary orders, rules and regulations for the dispatch of the business of the court.

Section 6. The judge of this court shall not have authority to grant writs of certiorari, supersedeas, quo warranto, mandamus, nor writs of injunction or ne exeat.

Section 7. The judge and court have authority to grant writs of attachment and garnishment.

Section 8. The judge of said court shall be learned in the law, shall be a resident citizen and qualified voter of Jefferson County, Alabama and not less than twenty-five years of age. Immediately after the passage and approval of this act the Judges of the Circuit Court for the tenth Judicial Circuit of Alabama shall elect the judge of this court, who shall serve for a term of four years and until his successor is elected and qualified; and said judges of said Circuit Court shall elect a judge for said court each four years.

Section 9. The Judge of the Birmingham Court of Common Pleas shall receive as compensation for his service the sum of forty-eight hundred (\$4,800.00) dollars per annum, payable in equal monthly installments of four hundred (\$400.00) dollars each, out of the County Treasury of Jefferson County, Alabama, upon his warrant drawn upon the County Treasurer.

Section 10. The judge of this court shall appoint a clerk of this court, who shall hold office at the pleasure of the judge. The clerk of this court shall receive as compensation for his service the sum of \$3,000.00 per annum, payable in equal monthly installments of \$250.00 each, out of the County Treasury of Jefferson County, Alabama.

Section 11. (a) The judge of this court shall appoint two assistant clerks, who shall hold office at the pleasure of the judge. The assistant clerks shall receive as compensation for their service as such assistant clerks, the sum of \$1800.00 per annum, payable in equal monthly installments of \$150.00 each, out of the County Treasury of Jefferson County, Alabama.

(b) When the business of the court requires it, the Board of Revenue of Jefferson County shall furnish this court additional clerical help and cause the same to be paid out of the Treasury of Jefferson County.

Section 12. The clerk of this court shall give bond in the penal sum of \$2,500 payable to the State of Alabama and conditioned to faithfully discharge the duties of such office, which bond shall be approved by, and filed in the office of the judge of probate of Jefferson County, Alabama, and which bond shall also be conditioned to pay all moneys to the proper officers and persons to whom it is payable, and to faithfully account for all moneys coming into his hands, by virtue of his office, and upon the said bond there shall be the same liabilities and remedies as upon a bond of the clerk of the Circuit Court.

Section 13. The judge of the Court shall appoint a bailiff of the Court, who shall hold office at the pleasure of the judge and who shall receive as compensation for his service as such bailiff the sum of (\$100.00) one hundred dollars per month, payable out of the County Treasury.

Section 14. The constable of precinct 37 of Jefferson County, Alabama, shall be the ex-officio officer of said court, and shall be required to attend its hearings and shall serve its processes and writs either in person or by his duly appointed deputies in any part of the county over which this court shall have jurisdiction and shall receive for such services the same fees as provided by law for like services by the sheriff of Jefferson County. The said constable as to any or all writs or processes of this court shall have all the power and authority conferred by law upon the sheriff of Jefferson County.

Section 15. The practice, procedure, judgments and records in this court shall conform to and be governed by the laws applicable to practice and procedure in justice of the peace courts in so far as applicable and except as otherwise provided in this Act and shall conform and be governed as far as practicable by the practice and procedure in the municipal court of Birmingham.

Section 16. Every intendment is in favor of the sufficiency and validity of proceedings in this court when brought in question, either directly or collaterally, in any of the courts of the State, where it appears on the face of the proceedings that this court had jurisdiction of the subject matter and the parties.

Section 17. The clerk shall issue all processes out of said court returnable to this court; the clerk shall approve all bonds, shall keep a docket of said court and shall certify all transfers of causes and all appeals. The clerk shall have all the authority and perform all the duties prescribed by law for clerks of the Circuit Courts of the State, except, where otherwise provided in this act, and except that entry of the judgment by the judge shall be the minutes of the court.

Section 18. All judgments required to be signed shall be signed by the judge, a judgment and the record thereof shall not be required to be more formal than a judgment rendered in a court of the justice of the peace and shall be governed by the same laws as a judgment in court of a justice of the peace.

Section 19. The fees and costs that are now, or hereafter, allowed by law in cases in the Circuit Court of Jefferson County, except the library tax, shall be taxed and collected as provided by law in the Circuit Court and shall by the clerk be paid into the County Treasury.

Section 20. In all cases commenced in this court by summons and complaint, the defendant shall be required to appear and demur or plead to the complaint on a certain day to be fixed by the clerk, but the summons and complaint must be executed seven days before the return day thereof; and in all cases at law commenced by attachment the defendant shall appear and demur or plead seven days after the levying of the attachment and the service of notice thereof or in case suit is against a non-resident or other person upon whom service may be had by publication, within seven days after service is perfected by publication, and publication shall be once a week for three consecutive weeks in some newspaper published in Jefferson County, Alabama; and in all other cases at law the defendant must appear and demur or plead at the time designated by the clerk in the summons, not less than seven days after service of summons and complaint upon him; and in all cases, whether commenced by summons and complaint, attachment or otherwise, and defendant failing within the time provided herein to appear and demur or plead, shall be held in default, and at any time thereafter judgment by default on motion of plaintiff may be rendered against him; provided however, that the court may for good cause shown, allow such judgment so obtained by default to be set aside and demurrer or plea to be filed on such terms as the court may think just, provided for such motion, or continued while the same is within the breast of the court as required by law.

Section 21. In all suits and actions on promissory notes, bills of exchange, or other negotiable instruments, contracts in writing, or accounts, if the plaintiff or his agent shall have filed at the time of bringing his suit or action, an affidavit setting out

distinctly his cause of action, and the sum he claims to be due, and that the same is due, owing and unpaid, a copy of which must be served on the defendant with the summons and complaint, plaintiff shall be entitled to judgment for the amount so claimed with interest and costs, unless the defendant shall file along with his plea, if in bar, an affidavit of defense denying the rights of the plaintiff as to the whole or some specified part of his claim, and specifically stating also in precise and distinct terms, the grounds of his defense, which must be such as would, if true, be sufficient to defeat the plaintiff's claim in whole or in part.

(b) The provision of this rule shall not apply to defendants who are representatives of decedent's estates, except when the affidavit filed with the complaint sets forth the contract sued on was directly with such representatives, or that a promise to pay was made by him.

(c) When the defendant is a corporation the affidavit of defense may be made by an officer, agent, or attorney of such corporation.

(d) When the affidavit required to be filed herein above does not comply with said provisions, such affidavit may be stricken out and judgment entered on motion.

(e) The court may by rules require such affidavit of defense and pleas to be filed along with the demurrer, if any be filed, which affidavit shall not waive the demurrer.

Section 22. The plaintiff electing to bring suit in this court shall endorse upon his complaint that he waives a trial by jury, and his election to file his suit in this court shall be deemed as a matter of law as his waiver of his right to have such cause tried by jury.

Section 23. In all cases filed in this court the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the defendant within seven days after the summons and complaint is served on him, or by any other person interested in such issue or question, at the time he appears; such demand must be made by such person that intervenes upon the pleading or paper filed by him for the purpose of presenting such issue or question of fact, or by the defendant or other party occupying the position of the defendant, including the garnishee, by making a formal written demand upon the demurrer, plea, other pleading, or separate paper filed by him, that he demands a trial by jury; such demand must be in writing, signed by the party or his attorney and filed with the clerk of the court, and must be filed by the defendant within seven days after the summons and complaint is served on him.

Section 24. When the defendant or other party occupying the position of defendant, or other party entitled thereto, shall have demanded a trial by jury, in the manner and within the time provided, this court shall proceed to settle the pleadings and make up an issue, and if an issue of fact be made up (a) the judge may proceed to try said cause with a jury, as herein provided; or (b) the judge may make an order transferring said cause to the circuit court, whereupon the clerk of this court shall transfer all papers in said cause, together with a transcript of the court's ruling on the pleadings, to the Circuit court of Jefferson County. Said cause shall be by the clerk of the circuit court of Jefferson County, docketed, and shall there proceed as if said cause were in said Circuit Court on appeal from a Justice Court wherein the appellant had demanded a trial by jury for such trial in the circuit court.

Section 25. Whenever a jury is required to try an issue in this court the judge of this court shall procure the jury box of Jefferson County and the key thereto, and shall draw from the jury box as many names as he may think necessary, in no case less than sixteen, and must immediately return the key and box to the proper custodians thereof, respectively, and after each name is drawn it shall not be returned to the jury box except as herein otherwise provided, and there shall be no selection of names except as hereinafter provided, and shall make and file a record of the drawing, and issue an order to the sheriff requiring him to summon the jurors, and the judge must draw the jurors in the manner provided by Chapter 311 of the Code except where otherwise in this Act provided; provided, however, that the judge may discard and return to the jury box any names so drawn if the name is of a person who does not reside within the jurisdiction of this court.

Section 26. Whenever there are not enough qualified jurors in attendance upon the court to permit the juries required, the judge of the court shall draw from the jury box names of as many jurors as he may deem necessary, who are then within or reside within the City of Birmingham. The sheriff shall forthwith summon all jurors thus drawn to attend court when required and he may summon them by personal service or by telephone or by telegraph, or may in like manner order a deputy or special deputy to summon them or may telephone or telegraph direct a deputy to summon such juror. The court shall then proceed to empanel or complete the empanelling of the juries.

Section 27. Jurors drawn and empaneled to serve in this court may be required to serve for an entire week.

Section 28. It is the duty of the court, before administering the oath prescribed by law to any juror, to ascertain that such juror has the qualifications required by law.

Section 29. (a) Each party has the right to challenge two of the jury peremptorily. Neither party shall have a right to a struck jury.

(b) The judge shall empanel sixteen jurors for the trial of any case, from which panel each party may peremptorily challenge two jurors.

Section 30. The sole remedy for any error in the drawing, summoning, empaneling or otherwise, of jurors, on the trial before a jury, shall be by an appeal to the Circuit Court, where the cause shall be tried de novo as provided in this Act.

Section 31. That the term of this court shall commence on the first day of January of each year, and end on the 31st day of December of each year. The final judgments rendered by said court shall after the expiration of ten days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgment is rendered had ended at the end of said ten days, provided, however, that nothing herein contained shall prevent the parties from applying for new trials or rehearings within said ten days or prevent the court within the said ten days from continuing said motion for a rehearing, to some other time.

Section 32. Unless otherwise ordered by the court, all garnishments issued by said court shall require an answer thereto within seven days after the service thereof; and upon the failure of any garnishee to make answer within such seven days, he shall be deemed in default and a judgement nisi may be rendered against him on motion of the plaintiff, if the plaintiff is otherwise entitled to such judgment nisi; unless otherwise ordered by the court, all citations, rules, scire facias, and notices issued by this court shall require the party against whom they are issued to appear and plead within seven days after services thereof, or if the citations or notices are to be given by publication, within seven days after the perfection of such publication.

Section 33. Any party may appeal from any judgment rendered against him by this court, to the Circuit Court or court of like jurisdiction, within ten days after the rendition thereof.

Section 34. No cause can be appealed from this court to the Circuit Court or other court of like jurisdiction unless the party applying for such appeal first executes a bond with sufficient surety, payable to the adverse party, with condition to pay such judgment as may be rendered against him by the court to which the cause is sought to be removed, and no cause can be removed from this court by statutory certiorari.

Section 35. If such appeal is applied for by a defendant, claimant or any other party against whom a judgment for the payment of money has been rendered, such bond shall be in double the amount of the judgment rendered against him, in-

cluding the costs; in all other cases, in such amounts as may be prescribed by the judge of this court.

Section 36. When appeal is taken, the clerk must return promptly all the original papers of the cause, together with a statement signed by him of the case, and the judgment rendered by the court, to the clerk of the court to which the appeal was taken.

Section 37. The clerk must also issue a notice to the appellee that such appeal has been taken which must be executed by personal service on him, his agent or attorney, five days before the return day of the appeal, and must be returned promptly by the constable, or other officer, to the clerk of the court to which the appeal was taken; but in lieu of notice by personal service to the appellee, or his agent or attorney, the clerk may send said notice by registered mail addressed to the appellee, his agent or attorney, with the demand for a return receipt and such return receipt, signed by the appellee, his agent or attorney, shall be proof of said notice.

Section 38. If the appellee, after the appeal is taken, moves out of the county or absconds or secretes himself, so that notice cannot be served on him, it shall be the duty of the constable to execute such notice by leaving a copy at the residence, or late residence, of the appellee, and by posting the same in front of the court house door of the County of Jefferson, and return the facts to the clerk of the court to which the appeal was taken on or before the second day of the term.

Section 39. That in all causes removed from this court to the Circuit Court by appeal, the cause shall be tried therein de novo and the issues and questions of fact shall be tried by the Circuit Court without the intervention of a jury, except that when the plaintiff appeals from a judgment rendered on a verdict of a jury, defendant may have a trial by jury on the appeal if he demands the same, in writing, within ten days from the time that plaintiff files his appeal bond, or within ten days of his being notified of the appeal.

Section 40. That any party to a cause in this court may deposit with the clerk of this court the necessary postage with the names and addresses of the witnesses, and it shall thereupon be the duty of the clerk of this court to summon said witnesses by addressing a letter to them, at such addresses, duly registered, with demand for return receipt, and such return receipt shall be proof of the service of said summons upon such witness, and any such witness being so served and failing to appear, shall be in contempt of the court and may be attached and punished as provided by law as to parties guilty of contempt, and may also be imprisoned.

Section 41. The judgments of this court may be recorded as provided by Section 4156, 4157, 4158 and 4159 of the Code of Alabama, and said provisions of the Code and said laws shall be applicable to judgments and proceedings in this court.

Section 42. All witnesses shall receive the mileage and per diem for attendance on this court, as provided by law for witnesses in the Circuit Court.

Section 43. The Board of Revenue of Jefferson County shall provide a place for the holding of this court and shall furnish all the necessary stationery, papers and other things, as provided by law for the Circuit Court of Jefferson County, that may be necessary for the operation and maintenance of this court; the Board of Revenue may, when the business requires it, furnish the court additional clerical help and cause the same to be paid out of the Treasury of Jefferson County.

Section 44. Neither party to a civil suit in this court as a matter of right may file interrogatories to be propounded to the opposite party, but for good cause shown, the judge of this court may allow such interrogatories to be propounded, in which case the judge shall fix the time in which they shall be answered, and the said filing and answering of said interrogatories, except as herein provided, shall be governed as far as applicable by Article 10, Chapter 290 of the Code of Alabama as now enacted or hereafter amended.

Section 45. In case of emergency, the judge of this court may appoint a suitable person to act as constable, without bond except as hereinafter provided, and the person appointed must perform the same duties, and is liable to the same pains and penalties, and is entitled to the same fee and compensation, as regular constable; but such special constable is not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collecting of executions, attachments or writs of detinue, he execute a bond in a sum of twice the amount of the property to be levied on, payable to the defendant and conditioned as required by constable bond, with sureties to be approved by the judge appointing such special constable.

Section 46. The law applicable to issuing and levying of executions in the Circuit Court shall apply to this court, and this court shall have the right and authority to cause the levying upon real estate and the sale thereof as provided in like cases in the Circuit Court.

Section 47. That all laws, or parts of laws, general or special, in conflict with the provision of this Act, shall be and the same are, hereby repealed.

Section 48. If any section or provision of this Act shall be declared void or unconstitutional, it shall not effect or disturb

the validity or constitutionality of any other section or provision which is not in and of itself void or unconstitutional.

Section 49. That this bill shall become effective upon its approval by the Governor.

And the substitute reported by the Standing Committee on Judiciary was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Darden	Mullen	Shepherd
Allen	Deloney	Nipper	Shivers
Anderson	Denson	Owens	Simpson
Ashcraft	Edmundson	Parish	Smith
Baldwin	Edwards	Pegues	Starnes
Bartlett	Hawkins	Pitts	Stephens
Beebe	Hightower	Poole	Tunstall
Brunson	Hubbard	Powell	Vickers
Bryant	Hughes	Quillin	Waddell
Burleson	Jeter	Rankin	Wallace
Burns	Jones (Cleburne)	Reeder	Ward (Geneva)
Byars	Luck	Ringer	Ward (Tuscaloosa)
Cannon	McAdory	Rivers	Ware
Carter	Miller (Marengo)	Sanders (Conecuh)	Webb
Christian	Miller (Sumter)	Sanders (Pike)	Weldon
Cockrell	Molette	Sanderson	Winn
Cook			

—65

And said Bill:

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties and compensation; to provide for and regulate jury trial therein; to provide for the transfer of causes to the circuit court when jury trials are demanded; to provide for appeal to the circuit court.

As amended by the substitute was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cockrell	Hubbard	Lovelace
Adcock	Cook	Hughes	Luck
Allen	Edmundson	Jeter	McAdory
Anderson	Edwards	Johnson	Martin
Ashcraft	Fite	Jones (Bullock)	Matthews
Brunson	Frey	Jones (Cleburne)	Merrill
Bryant	Golson	Jordan (Etowah)	Miller (Marengo)
Burleson	Goodwyn	Jordan (Washington)	Miller (Sumter)
Burns	Grove	Kirkpatrick	Molette
Bvars	Hampton	Langdon	Morrow
Cannon	Harwood	Lawler	Moxley
Carter	Hawkins	Lee	Mullen

Nipper	Sanderson	Smith	Thompson
Rogers (Mobile)	Shepherd	Stephens	Tompkins
St. John	Shivers	Stewart (Bibb)	Tunstall
Sanders (Conecuh)	Simpson	Stewart (Calhoun)	Vickers
Sanders (Pike)			

—65

H. 1119. To fix the salary of the Probate Judge of Jefferson County, Alabama, and to provide for paying same.

Was read a third time at length and passed.

Yeas, 51; Nays, 17.

Yeas:

Messrs.:

Adcock	Guy	Kirkpatrick	Rogers (Mobile)
Anderson	Harwood	Langdon	Sanderson
Baldwin	Hawkins	Lawler	Smith
Bryant	Hollis	McAdory	Tompkins
Burns	Howard	Martin	Tunstall
Carter	Hubbard	Matthews	Waddell
Christian	Hughes	Merrill	Wallace
Cockrell	Jeter	Miller (Marengo)	Ward (Geneva)
Edwards	Johnson	Owens	Ward (Tuscaloosa)
Frey	Jones (Bullock)	Parish	Ware
Goode	Jones (Cleburne)	Pegues	Webb
Goodwyn	Jordan (Etowah)	Powell	Winn
Green	Jordan (Washington)	Ringer	

—51

Nays:

Messrs.:

Ashcraft	Edmundson	Luck	Sanders (Pike)
Cannon	Fite	Morrow	Simpson
Cook	Lee	Pitts	Stephens
Deloney	Lovelace	Rankin	Stewart (Bibb)
Denson			

—17

H. 1068. To provide for the construction and maintenance of public roads, bridges, causeways and culverts in Lamar County, Alabama. To provide funds for the purpose of constructing and maintaining said roads, bridges, causeways and culverts. To make regulations for collecting funds for the above purposes and to provide penalties and enforce penalties for all who do not comply with the regulations of this bill. Also for the purpose of dividing Lamar County, Alabama, into four road supervisors districts and to prescribe the duties of the supervisors of said districts.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Anderson	Bartlett	Bryant
Adcock	Ashcraft	Beebe	Burleson
Allen	Baldwin	Brunson	Burns

Byars	Hightower	Mullen	Stewart (Calhoun)
Cannon	Hollis	Nipper	Thompson
Carter	Howard	Owens	Tompkins
Christian	Kirkpatrick	Parish	Tunstall
Cockrell	Langdon	Sanders (Conecuh)	Vickers
Cook	Lawler	Sanders (Pike)	Waddell
Darden	Lee	Sanderson	Wallace
Deloney	Matthews	Shepherd	Ward (Geneva)
Denson	Merrill	Shivers	Ward (Tuscaloosa)
Goode	Miller (Marengo)	Smith	Ware
Goodwyn	Miller (Sumter)	Starnes	Webb
Graves	Molette	Stephens	Weldon
Green	Moxley	Stewart (Bibb)	Winn
Guy			

—65

H. 1144. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, respectively, all the jurisdiction, powers, and duties now conferred upon the Probate Court of Walker County, Alabama, or the Judge thereof, respectively, by the several provisions of Chapter 100 of the 1923 Code of Alabama, or by any other law of the State relating to juvenile delinquents, probations officers, wards of the State or dependent children.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lee	Shepherd
Adcock	Golson	Lovell	Shivers
Allen	Guy	Luck	Simpson
Anderson	Hampton	McAdory	Smith
Ashcraft	Harwood	Martin	Starnes
Baldwin	Hawkins	Matthews	Stephens
Bartlett	Hightower	Miller (Marengo)	Thompson
Beebe	Hollis	Miller (Sumter)	Tompkins
Brunson	Howard	Mullen	Tunstall
Bryant	Johnson	Poole	Vickers
Burleson	Jones (Bullock)	Powell	Waddell
Burns	Jones (Cleburne)	Quillin	Wallace
Byars	Jordan (Etowah)	Rankin	Ware
Cannon	Jordan (Washington)	Reeder	Webb
Edmundson	Kirkpatrick	Ringer	Weldon
Edwards	Langdon	Sanderson	Winn
Fite			

—65

H. 1145. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, all the jurisdiction, powers and duties now conferred or imposed, or which may hereafter be conferred or imposed, upon the Probate Court of Walker County, Alabama, or the Judge thereof, by the several provisions of Chapter 157 of the 1923 Code of Alabama, or by any law re-

lating to the duties of the husband toward, his wife, or parents toward their children.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Ashcraft	Harwood	Molette	Sanderson
Cockrell	Hightower	Mullen	Shepherd
Cook	Hollis	Nipper	Shivers
Darden	Howard	Parish	Simpson
Deloney	Hubbard	Patterson	Smith
Denson	Hughes	Pegues	Starnes
Edmundson	Jones (Bullock)	Powell	Stephens
Edwards	Jones (Cleburne)	Quillin	Stewart (Bibb)
Golson	Jordan (Etowah)	Rankin	Stewart (Calhoun)
Goode	Jordan (Washington)	Reeder	Thompson
Goodwyn	Kirkpatrick	Ringer	Tompkins
Graves	Lawler	Rivers	Tunstall
Green	Lee	Rogers (Mobile)	Vickers
Grove	Lovelace	St. John	Waddell
Gullatt	Miller (Marengo)	Sanders (Conecuh)	Ward (Geneva)
Guy	Miller (Sumter)	Sanders (Pike)	Ward (Tuscaloosa)
Hampton			

—65

H. 1121. To provide that the members of the Board of Revenue of Lawrence County, Alabama, shall each receive four dollars per day instead of three dollars for service rendered said County and to repeal all general, special or local laws in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hollis	Moxley	Sanderson
Bryant	Howard	Mullen	Stephens
Burleson	Kirkpatrick	Nipper	Stewart (Bibb)
Burns	Langdon	Owens	Stewart (Calhoun)
Byars	Lawler	Parish	Thompson
Cannon	Icc	Pegues	Tompkins
Carter	Lovelace	Pitts	Tunstall
Cockrell	Luck	Powell	Vickers
Fite	McAdory	Quillin	Waddell
Frey	Martin	Rankin	Wallace
Golson	Matthews	Ringer	Ward (Geneva)
Goode	Merrill	Rivers	Ward (Tuscaloosa)
Goodwyn	Miller (Marengo)	Rogers (Mobile)	Ware
Graves	Miller (Sumter)	St. John	Webb
Green	Molette	Sanders (Conecuh)	Weldon
Grove	Morrow	Sanders (Pike)	Winn
Hawkins			

—65

S. 556. To amend Section Nine of an act entitled: "An Act to establish a Board of Revenue for Lowndes County, and to de-

fine the powers and duties of said Board of Revenue" approved March 7th, 1876.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Jordan (Etowah)	St. John
Adcock	Darden	Jordan (Washington)	Sanderson
Allen	Deloney	Kirkpatrick	Shepherd
Anderson	Denson	Langdon	Shivers
Ashcraft	Edmundson	Molette	Simpson
Baldwin	Edwards	Morrow	Smith
Bartlett	Fite	Mullen	Starnes
Beebe	Frey	Parish	Stephens
Brunson	Golson	Patterson	Tunstall
Bryant	Goode	Pegues	Vickers
Burleson	Goodwyn	Pitts	Waddell
Burns	Graves	Poole	Wallace
Byars	Guy	Powell	Ware
Cannon	Hampton	Quillin	Webb
Carter	Jones (Bullock)	Rankin	Weldon
Christian	Jones (Cleburne)	Rogers (Mobile)	Winn
Cockrell			

—65

S. 367. For the relief of E. R. Harris of Sulligent, Alabama, and to authorize and require the State Auditor to draw his warrant on the State Treasurer in favor of E. R. Harris for the sum of two hundred (\$200.00) dollars, and to require the State Treasurer to pay such warrant, and to appropriate the sum of two hundred (\$200.00) dollars for the payment thereof.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Kirkpatrick	Starnes
Adcock	Denson	Owens	Stephens
Allen	Goode	Parish	Stewart (Bibb)
Anderson	Goodwyn	Patterson	Stewart (Calhoun)
Ashcraft	Graves	Pegues	Thompson
Baldwin	Green	Pitts	Tompkins
Bartlett	Grove	Poole	Tunstall
Beebe	Hawkins	Powell	Vickers
Brunson	Hightower	Quillin	Waddell
Bryant	Hollis	Rankin	Wallace
Burleson	Hubbard	Rivers	Ward (Geneva)
Burns	Hughes	Rogers (Mobile)	Ward (Tuscaloosa)
Carter	Jones (Bullock)	Shepherd	Ware
Christian	Jones (Cleburne)	Shivers	Webb
Cockrell	Jordan (Etowah)	Simpson	Weldon
Cook	Jordan (Washington)	Smith	Winn
Darden			

—65

S. 528. To amend Sections 4 and 9 of an act entitled "An Act to amend Sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), thirteen (13), and fourteen (14) of an act entitled an act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Green	Jordan (Etowah)	Owens
Adcock	Grove	Jordan (Washington)	Parish
Allen	Guy	Kirkpatrick	Patterson
Anderson	Hampton	Langdon	Pegues
Ashcraft	Harwood	Luck	Pitts
Bartlett	Hawkins	McAdory	Poole
Beebe	Hightower	Martin	Powell
Brunson	Hollis	Matthews	Quillin
Bryant	Howard	Merrill	Rankin
Burns	Howell	Miller (Marengo)	Ringer
Byars	Hubbard	Miller (Sumter)	Rivers
Darden	Hughes	Molette	Rogers (Mobile)
Deloney	Jeter	Morrow	Sanders (Conecuh)
Denson	Johnson	Moxley	Sanders (Pike)
Goode	Jones (Bullock)	Mullen	Sanderson
Goodwyn	Jones (Cleburne)	Nipper	Vickers
Graves			

—65

With Substitute:

H. 627. To amend Section 3040 of the Code of Alabama of 1923.

Was taken up. Mr. Rogers of Mobile moved to table the substitute reported by the Standing Committee on Judiciary. Said substitute being as follows:

AN ACT

To fix the compensation of tax assessors, in counties of more than one hundred thousand population according to the last federal census or any subsequent federal census, assessing for special county and district taxes now or hereafter levied for public school purposes.

Be it Enacted by the Legislature of Alabama:

Section 1. That in counties of more than one hundred thousand population according to the last federal census or any subsequent federal census, no fees nor commissions shall be allowed to tax assessors for assessing special county and district taxes levied for public school purposes; but in lieu thereof the tax assessor, in such counties, shall be paid, by the tax collector in such

counties, the sum of one thousand dollars, which is provided by law to be retained by the tax collector for the tax assessor.

Section 2. That all laws and parts of laws in conflict herewith, are hereby expressly repealed.

And the substitute reported by the Committee was tabled.

Mr. Rogers of Mobile offered the following substitute for the Bill H. 627.

SUBSTITUTE FOR H. NO. 627.

By Mr. Rogers of Mobile:

H. 627. An Act to fix the compensation of tax assessors, in counties of more than one hundred thousand population and less than one hundred and fifty thousand population, according to the last Federal census or any subsequent Federal census, for assessing special county and district taxes now or hereafter levied for public school purposes.

Be it Enacted by the Legislature of Alabama:

Section 1. That in counties of more than one hundred thousand population and less than one hundred and fifty thousand population, according to the last Federal census or any subsequent Federal census, no fees nor commissions shall be allowed to tax assessors for assessing special county and district taxes levied for public school purposes; but in lieu thereof the tax assessor, in such counties, shall be paid, by the tax collector in such counties, the sum of one thousand dollars, which is provided by law to be retained by the tax collector for the tax assessor; provided, however, that this Act shall not take effect until the expiration of the terms of office of the tax assessors, in such counties, elected at the general election in November, 1926.

Section 2. That all laws and parts of laws in conflict herewith, are hereby expressly repealed.

And the substitute offered by Mr. Rogers of Mobile was adopted.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Howard	Powell
Adcock	Edwards	Howell	Quillin
Allen	Fite	Hubbard	Rankin
Anderson	Frey	Hughes	Ringer
Ashcraft	Golson	Jeter	Rivers
Baldwin	Grove	Johnson	Rogers (Mobile)
Bartlett	Guy	Merrill	St. John
Beebe	Hampton	Molette	Sanders (Conecuh)
Cook	Harwood	Morrow	Sanders (Pike)
Darden	Hawkins	Parish	Sanderson
Deloney	Hightower	Patterson	Shepherd
Denson	Hollis	Poole	Shivers

Simpson	Stewart (Bibb)	Tunstall	Ware
Smith	Stewart (Calhoun)	Waddell	Webb
Starnes	Thompson	Wallace	Weldon
Stephens	Tompkins	Ward (Geneva)	Winn

—64

Nay:—Mr. Vickers.—1.

And the Bill:

H. 627. To amend Section 3040 of the Code of Alabama of 1923.

As amended by the substitute of Mr. Rogers of Mobile was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Cockrell	Hawkins	Nipper
Adcock	Cook	Hollis	Owens
Allen	Darden	Howard	Parish
Anderson	Deloney	Hubbard	Patterson
Ashcraft	Denson	Hughes	Pegues
Baldwin	Edmundson	Jeter	Pitts
Bartlett	Edwards	Johnson	Powell
Beebe	Fite	Luck	Quillin
Brunson	Frey	McAdory	Rankin
Bryant	Golson	Martin	Ringer
Burleson	Goode	Matthews	Rivers
Burns	Goodwyn	Merrill	Rogers (Mobile)
Byars	Graves	Molette	St. John
Cannon	Green	Morrow	Tunstall
Carter	Grove	Moxley	Waddell
Christian	Gullatt	Mullen	Wallace

—64

Nay:—Mr. Vickers.—1.

H. 628. (With Substitute) To amend Section 3048 of the Code of Alabama of 1923.

Was taken up.

Mr. Rogers of Mobile moved to table the substitute reported by the Standing Committee on Judiciary said substitute being as follows:

AN ACT

To fix the compensation of tax collectors, in counties of more than one hundred thousand population according to the last Federal census or any subsequent Federal census, for collecting special county and district taxes now or hereafter levied for public school purposes.

Be it Enacted by the Legislature of Alabama:

Section 1. That in counties of more than one hundred thousand population according to the last Federal census or any subsequent Federal census, no fees nor commissions shall be allow-

ed to tax collectors for collecting special county and district taxes now or hereafter levied for public school purposes, but in lieu thereof the tax collector in such counties shall receive a lump sum of one thousand dollars which shall be retained by him from the taxes so collected by him. The tax collector shall also retain, from such taxes so collected, one thousand dollars as compensation to be paid to the tax assessor for his services rendered in assessing such taxes, and the tax collector shall pay over to the tax assessor the said sum of one thousand dollars so retained by the tax collector for the tax assessor.

Section 2. That all laws and parts of laws in conflict herewith, are hereby expressly repealed.

And the substitute reported by the Committee was tabled.

Mr. Rogers of Mobile offered the following substitute for the Bill H. 628.

SUBSTITUTE H. 628.

By Mr. Rogers of Mobile:

H. 628. An Act to fix the compensation of tax collectors, in counties of more than one hundred thousand population and less than one hundred and fifty thousand population according to the last Federal census or any subsequent Federal census, for collecting special county and district taxes now or hereafter levied for public school purposes.

Be it Enacted by the Legislature of Alabama:

Section 1. That in counties of more than one hundred thousand population, and less than one hundred and fifty thousand population, according to the last Federal census or any subsequent Federal census, no fees nor commissions shall be allowed to tax collectors for collecting special county and district taxes now or hereafter levied for public school purposes, but in lieu thereof the tax collector in such counties shall receive a lump sum of one thousand dollars which shall be retained by him from the taxes so collected by him. The tax collector shall also retain from such taxes so collected, one thousand dollars as compensation to be paid to the tax assessor for his services rendered in assessing such taxes, and the tax collector shall pay over to the tax assessor the said sum of one thousand dollars so retained by the tax collector for the tax assessor; provided however, that this Act shall not take effect until the expiration of the terms of office of the tax collectors, in such counties, elected at the general election in November, 1926.

Section 2. That all laws and parts of laws in conflict herewith, are hereby expressly repealed.

And the substitute offered by Mr. Rogers of Mobile was adopted.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Cockrell	Owens	Smith
Adcock	Cook	Parish	Starnes
Allen	Darden	Patterson	Stephens
Anderson	Denson	Pegues	Stewart (Bibb)
Ashcraft	Goode	Pitts	Stewart (Calhoun)
Baldwin	Grove	Powell	Thompson
Bartlett	Jones (Bullock)	Quillin	Tompkins
Beebe	Jones (Clebune)	Rankin	Tunstall
Brunson	Jordan (Etowah)	Rogers (Mobile)	Waddell
Bryant	Jordan (Washington)	St. John	Wallace
Burleson	Luck	Sanders (Conecuh)	Ward (Geneva)
Burns	McAdory	Sanders (Pike)	Ward (Tuscaloosa)
Byars	Martin	Sanderson	Ware
Cannon	Merrill	Shepherd	Webb
Carter	Mullen	Shivers	Weldon
Christian	Nipper	Simpson	Winn

—64

Nay:—Mr. Vickers—1.

And said Bill:

H. 628. To amend Section 3048 of the Code of Alabama of 1923.

As amended by the substitute of Mr. Rogers of Mobile was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Beebe	Hightower	Moxley	Smith
Brunson	Hollis	Mullen	Starnes
Bryant	Jeter	Owens	Stephens
Burleson	Johnson	Powell	Stewart (Bibb)
Edmundson	Jones (Bullock)	Quillin	Stewart (Calhoun)
Edwards	Jones (Clebune)	Rankin	Thompson
Fite	Jordan (Etowah)	Ringer	Tompkins
Goode	Jordan (Washington)	Rivers	Tunstall
Goodwyn	Kirkpatrick	Rogers (Mobile)	Waddell
Graves	Lawler	St. John	Wallace
Green	Lee	Sanders (Conecuh)	Ward (Geneva)
Grove	Lovelace	Sanders (Pike)	Ward (Tuscaloosa)
Guy	Miller (Marengo)	Sanderson	Ware
Hampton	Miller (Sumter)	Shepherd	Webb
Harwood	Molette	Shivers	Weldon
Hawkins	Morrow	Simpson	Winn

—64

Nay:—Mr. Vickers—1.

H. 1142. To provide for the establishment and creation of a Waterworks Commission for the City of Phoenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office; to prescribe their qualifications: To prescribe their oath of office: To fix said Com-

mission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said commission: To fix the bond of the clerk and treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission: To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: to provide a seal for said Commission: to provide that said Commission may make temporary loans; to provide for an attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said city of Phoenix City, and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Merrill	Shepherd
Adcock	Grove	Molette	Shivers
Allen	Guy	Morrow	Simpson
Baldwin	Hampton	Moxley	Smith
Bartlett	Harwood	Mullen	Starnes
Burleson	Hawkins	Nipper	Stephens
Brunson	Hightower	Owens	Thompson
Byars	Hollis	Parish	Tompkins
Cockrell	Howard	Patterson	Tunstall
Cook	Langdon	Pegues	Vickers
Darden	Lawler	Pitts	Waddell
Denson	Lee	Powell	Wallace
Edmundson	Lovelace	Quillin	Ware
Edwards	Luck	Rankin	Webb
Goode	McAdory	Ringer	Weldon
Goodwyn	Martin	Riveis	Winn
Graves			

—65

S. 342. To authorize cities which now have or which may hereafter have a population of 100,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the streets upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

Was taken up. Mr. Sanderson offered the following amendment to the Bill S. 342.

Amend Senate Bill 342 as follows:

1st by striking from the caption and body of the bill the words and figures "sixty thousand" "60,000" where said words

and figures appear therein and insert in lieu thereof the words and figures One hundred thousand 100,000.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Lee	Starnes
Adcock	Darden	Lovelace	Stephens
Allen	Deloney	Luck	Stewart (Bibb)
Anderson	Denson	McAdory	Stewart (Calhoun)
Ashcraft	Edmundson	Martin	Thompson
Baldwin	Green	Matthews	Tompkins
Bartlett	Hampton	Rivers	Tunstall
Beebe	Harwood	Rogers (Mobile)	Vickers
Brunson	Hawkins	St. John	Waddell
Bryant	Hightower	Sanders (Conecuh)	Wallace
Burleson	Hollis	Sanders (Pike)	Ward (Geneva)
Burns	Howard	Sanderson	Ward (Tuscaloosa)
Byars	Hubbard	Shepherd	Ware
Cannon	Hughes	Shivers	Webb
Carter	Jeter	Simpson	Weldon
Christian	Johnson	Smith	Winn
Cockrell			

—65

And said bill:

S. 342. To authorize cities which now have or which may hereafter have a population of 60,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the streets upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Johnson	Morrow
Ashcraft	Frey	Jones (Bullock)	Moxley
Baldwin	Golson	Jones (Cleburne)	Mullen
Bartlett	Goode	Jordan (Etowah)	Nipper
Beebe	Goodwyn	Jordan (Washington)	Owens
Brunson	Graves	Kirkpatrick	Parish
Bryant	Green	Langdon	Patterson
Burleson	Grove	Lawler	Pegues
Cannon	Guy	Luck	Pitts
Carter	Hampton	McAdory	Poole
Christian	Harwood	Martin	Powell
Cockrell	Hawkins	Matthews	Quillin
Cook	Hightower	Merrill	Rankin
Darden	Hubbard	Miller (Marengo)	Reeder
Deloney	Hughes	Miller (Sumter)	Ringer
Edmundson	Jeter	Molette	Rivers
Edwards			

—65

H. 1129. To amend Section 6 of an Act entitled An Act to enlarge and extend the jurisdiction of the circuit court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court, approved September 20, 1923, to increase the salary of the Deputy Clerk and Register of said Court to Nine Hundred Dollars per annum, and to increase the salary of the Deputy Sheriff of said Court at Alexander City to Fifteen Hundred Dollars per annum.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Howard	Poole	Starnes
Adcock	Johnson	Powell	Stephens
Allen	Lawler	Quillin	Stewart (Bibb)
Beebe	Lee	Rankin	Stewart (Calhoun)
Brunson	Lovelace	Reeder	Thompson
Carter	Luck	Ringer	Tompkins
Christian	Molette	Rivers	Tunstall
Cockrell	Moxley	Rogers (Mobile)	Vickers
Cook	Mullen	St. John	Waddell
Darden	Nipper	Sanders (Conecuh)	Wallace
Deloney	Norman	Sanders (Pike)	Ward (Geneva)
Denson	Owens	Sanderson	Ward (Tuscaloosa)
Hampton	Parish	Shepherd	Ware
Harwood	Patterson	Shivers	Webb
Hawkins	Pegues	Simpson	Weldon
Hightower	Pitts	Smith	Winn
Hollis			

—65

H. 1106. To amend section 2 of an Act entitled "An Act to divide Tallapoosa County, Alabama, into five Commissioners Districts and provide for the election of Commissioners from each of said Districts" Approved September 7, 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Hughes	Merrill
Adcock	Graves	Jones (Bullock)	Miller (Marengo)
Anderson	Green	Jones (Cleburne)	Miller (Sumter)
Ashcraft	Grove	Jordan (Washington)	Molette
Cockrell	Guy	Kirkpatrick	Morrow
Cook	Hampton	Langdon	Moxley
Darden	Harwood	Lawler	Mullen
Denson	Hawkins	Lee	Nipper
Edmundson	Hightower	Luck	Owens
Edwards	Hollis	McAdory	Pegues
Fite	Howard	Martin	Powell
Goode	Hubbard	Matthews	Quillin

Rankin	Sanders (Conecuh)	Simpson	Ware
Ringer	Sanderson	Smith	Webb
Rivers	Shepherd	Starnes	Weldon
Rogers (Mobile)	Shivers	Stephens	Winn
St. John			

—65

S. 337. To provide for the manner of selecting the county superintendent of education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

Was taken up.

Mr. Ward of Tuscaloosa offered the following substitute for the Bill S. 337.

Amend Senate Bill 337 by substituting therefor the following to-wit:

S. 337. A Bill to be entitled an Act to provide for the manner of selecting the county superintendent of education of Tuscaloosa County, Alabama; to fix his qualifications, his term of office and his salary.

Be it Enacted by the Legislature of Alabama:

Section 1. That upon the presentation of a petition signed by not less than twenty-five per centum of the qualified electors of Tuscaloosa County, Alabama, to the Probate Judge of said county not less than ninety (90) days prior to the general election in 1928, requesting that an election be called in said county for the purpose of submitting to the qualified electors thereof the question of whether or not the Superintendent of education in said county shall be elected by the qualified voters thereof, or selected by the county board of education. That the probate judge, after ascertaining that the petition contains the required number of signers shall call such an election to be held on the first Tuesday after the first Monday in November, 1928, and shall advertise the same in some newspaper published in Tuscaloosa County for two consecutive weeks. That the ballot to be used in said election shall read as follows:

"Shall the county superintendent of education in Tuscaloosa County be elected by the qualified electors as other county officers are elected?"

"Yes....."

"No....."

"The voter shall make a cross mark before or after his choice."

Said election shall be conducted by the same election officers who conduct the general election, the vote canvassed and the result declared in the same manner as is provided by law for general elections. If in said election the majority of the votes cast are in favor of the election by popular vote then there shall be elected in 1930, at the same time and in the same manner as other

county officers are elected the county superintendent of education whose term of office shall begin on the first Monday after the second Tuesday in January, 1931, and every four years thereafter; but nothing in this Act shall be construed to interfere with any contract existing between the county board of education and the present county superintendent of education at the time of the passage of this Act, and the present county superintendent of education may hold office until the time for installation of his successor under the provisions of this Act.

Section 2. Such county superintendent of education shall hold office for four years from the time of his installation in office, as provided in this Act, and until his successor is elected and qualified, and shall receive a salary not to exceed the sum of four thousand dollars per annum, to be fixed by the county board of education, payable in monthly installments, on the last day of each month; and the county board of education may, at its discretion, add thereto not exceeding six hundred dollars per annum for travelling expenses to be paid in the same manner.

Section 3. Before any person can qualify as a candidate for the office, he must file in the office of the probate judge of the county an affidavit, together with a transcript of courses completed, that he is a graduate of an "A" grade college or university, and that he has been actively engaged in educational work for the last three years prior thereto.

Section 4. Such county superintendent of education must be a qualified elector of Tuscaloosa County and possess all the qualifications required under the general laws of this State for county superintendents of education, in addition to the qualifications provided for in this Act; and he shall perform and discharge all of the duties of county superintendent of education under the general laws of this State.

Section 5. If at any election for county superintendent of education no one qualifies as a candidate under this act, the county board of education shall have the right to engage a county superintendent of education in accordance with the general laws of Alabama; provided that the county board of education shall not enter into a contract with any person to serve as county superintendent of education for more than four years from the time of the expiration of the preceding term.

Section 6. All laws and parts of laws in conflict with this Act are hereby repealed.

And the substitute was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock

Allen
Anderson

Ashcraft
Baldwin

Bartlett
Beebe

Brunson	Hampton	Nipper	Stephens
Bryant	Harwood	Parish	Stewart (Bibb)
Burleson	Hawkins	Patterson	Stewart (Calhoun)
Burns	Hightower	Pegues	Thompson
Byars	Hollis	Rankin	Tompkins
Cannon	Hubbard	Reeder	Vickers
Carter	Hughes	Ringer	Waddell
Christian	Jones (Bullock)	Rivers	Wallace
Cockrell	Jones (Clebune)	Rogers (Mobile)	Ward (Geneva)
Cook	Jordan (Etowah)	St. John	Ward (Tuscaloosa)
Darden	Jordan (Washington)	Shepherd	Ware
Deloney	Morrow	Shivers	Webb
Denson	Moxley	Smith	Weldon
Goode	Mullen	Starnes	Winn
Guy			

—65

And said Bill:

S. 337. To provide for the manner of selecting the county superintendent of education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

As amended by the substitute of Mr. Ward of Tuscaloosa was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Luck	Shepherd
Adcock	Goodwyn	McAdory	Shivers
Allen	Graves	Martin	Simpson
Anderson	Green	Matthews	Smith
Ashcraft	Grove	Merrill	Starnes
Baldwin	Harwood	Molette	Stephens
Bartlett	Hightower	Morrow	Stewart (Bibb)
Beebe	Hollis	Moxley	Stewart (Calhoun)
Brunson	Howard	Patterson	Thompson
Bryant	Jeter	Pitts	Tompkins
Burleson	Johnson	Poole	Tunstall
Burns	Kirkpatrick	Quillin	Vickers
Edmundson	Langdon	Rankin	Waddell
Edwards	Lawler	Reeder	Ward (Geneva)
Fite	Lee	Ringer	Ward (Tuscaloosa)
Frey	Lovelace	Rivers	Ware
Golson			

—65

S. 567. To amend Section 2336 of the Code of Alabama, 1923. Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Carter	Denson	Graves
Adcock	Christian	Fite	Green
Allen	Cockrell	Frey	Grove
Beebe	Cook	Golson	Guy
Brunson	Darden	Goode	Hampton
Bryant	Deloney	Goodwyn	Harwood

Hollis	Martin	Sanders (Conecuh)	Tunstall
Howard	Miller (Sumter)	Shivers	Vickers
Howell	Molette	Simpson	Waddell
Jeter	Morrow	Smith	Wallace
Johnson	Moxley	Starnes	Ward (Geneva)
Jones (Bullock)	Mullen	Stephens	Ward (Tuscaloosa)
Lawler	Nipper	Stewart (Bibb)	Ware
Lee	Pitts	Stewart (Calhoun)	Webb
Lovelace	Poole	Thompson	Weldon
Luck	St. John	Tompkins	Winn
McAdory			

—65

S. 502. To fix and regulate the compensation of the Deputy Clerk and the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent federal census, and to provide for the payment of such compensation.

Was read a third time at length and passed.

Yeas, 65; Nays, 2.

Yeas:

Messrs.:

Mr. Speaker	Green	McAdory	Rogers (Mobile)
Bartlett	Grove	Martin	St. John
Beebe	Guy	Matthews	Sanders (Conecuh)
Burns	Hampton	Merrill	Sanders (Pike)
Byars	Harwood	Miller (Marengo)	Sanderson
Cannon	Hawkins	Miller (Sumter)	Shepherd
Carter	Howell	Molette	Shivers
Cook	Hubbard	Morrow	Thompson
Darden	Hughes	Moxley	Tompkins
Deloney	Jeter	Owens	Tunstall
Denson	Johnson	Parish	Wallace
Edwards	Langdon	Pitts	Ward (Geneva)
Fite	Lawler	Poole	Ward (Tuscaloosa)
Frey	Lee	Reeder	Ware
Golson	Lovelace	Ringer	Webb
Graves	Luck	Rivers	

—63

Nays:—Messrs. Edmondson and Simpson—2.

H. 1110. Authorizing the Court of County Commissioners or other governing Board of said County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

Was taken up.

Mr. Matthews offered the following amendment to the Bill H. 1110.

Amend H. B. 1110 by striking out the word "said" in 2nd line of title and inserting in lieu thereof the word "Wilcox."

And the amendment offered by Mr. Matthews was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	Mullen	Smith
Adcock	Guy	Patterson	Starnes
Allen	Hampton	Pegues	Stephens
Anderson	Howell	Pitts	Stewart (Bibb)
Ashcraft	Hubbard	Rankin	Thompson
Baldwin	Hughes	Reeder	Tompkins
Bryant	Jordan (Washington)	Ringer	Tunstall
Burleson	Kirkpatrick	Rivers	Vickers
Burns	Langdon	Rogers (Mobile)	Waddell
Christian	Matthews	St. John	Wallace
Cockrell	Merrill	Sanders (Conecuh)	Ward (Geneva)
Cook	Miller (Marengo)	Sanders (Pike)	Ward (Tuscaloosa)
Darden	Miller (Sumter)	Sanderson	Ware
Edmundson	Molette	Shepherd	Webb
Edwards	Morrow	Shivers	Weldon
Graves	Moxley	Simpson	Winn
Green			

—65

And said Bill:

H. 1110. Authorizing the Court of County Commissioners or other governing Board of said County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Johnson	Powell
Adcock	Edwards	Kirkpatrick	Quillin
Allen	Fite	Langdon	Rankin
Anderson	Frey	Lawler	Ringer
Ashcraft	Golson	Lee	Rivers
Baldwin	Goode	Lovelace	Sanderson
Bartlett	Goodwyn	Luck	Shepherd
Beebe	Graves	McAdory	Shivers
Brunson	Green	Martin	Simpson
Bryant	Grove	Matthews	Smith
Carter	Guy	Merrill	Starnes
Christian	Hampton	Miller (Marengo)	Stephens
Cockrell	Harwood	Miller (Sumter)	Stewart (Calhoun)
Cook	Hubbard	Molette	Thompson
Darden	Hughes	Owens	Waddell
Deloney	Jeter	Parish	Wallace
Denson			

—65

On motion of Mr. Grove all House Bills passed at the morning session of the House were ordered sent to the Senate without engrossment.

BILL INDEFINITELY POSTPONED

On motion of Mr. Shepherd, the bill:

H. 739. To abolish the Commissioners Court of Walker County, and establish in lieu thereof a Board of Control, prescribe its duties, powers, and authority; to provide that the present members of the Commissioners court become the members of the Board of Control and the present Probate Judge become Ex Officio member of same; to prescribe the term of office, and how and when successors shall be elected. To create the office of Chairman of the Board of Control, prescribe his duties, powers and authority, fix his term of office and salary; to designate the Chairman of the Board of Control the purchasing agent for the county of Walker and prohibit the purchase of supplies through other channels where paid for out of the county funds; to create the office of Highway Engineer for Walker County, define his powers, authority and duty and fix his qualification and how selected, terms of office and how removed; to prescribe and fix the salaries of the Chairman and members of the Board of Control and to fix the salary of the Highway Engineer; to divide the county into road districts and require one member to live in each district as divided; To invest the Board of Control with all the power Legislative, Judicial and Executive now or hereafter exercised by authority of law or granted the Commissioners Court or other governing bodies of counties in the State of Alabama that is not in conflict with the provisions of this bill, and to repeal all laws in conflict herewith.

Was indefinitely postponed.

BILL TAKEN FROM ADVERSE CALENDAR

On motion of Mr. Ware the bill S. 220 was taken from the Adverse Calendar and placed on the regular calendar of the House.

Yeas, 73; Nays, 4.

Yeas:

Messrs.:

Adcock	Darden	Hightower	Lee
Allen	Denson	Hollis	Lovelace
Anderson	Edmundson	Hubbard	Luck
Baldwin	Edwards	Hughes	McAdory
Beebe	Frey	Jeter	Martin
Brunson	Golson	Johnson	Matthews
Bryant	Goodwyn	Jones (Bullock)	Merrill
Burleson	Green	Jones (Cleburne)	Miller (Marengo)
Burns	Grove	Jordan (Etowah)	Miller (Sumter)
Carter	Guy	Jordan (Washington)	Mullen
Christian	Harwood	Kirkpatrick	Parish
Cockrell	Hawkins	Lawler	Patterson

Pegues	St. John	Starnes	Wallace
Pitts	Sanders (Conecuh)	Stewart (Calhoun)	Ward (Geneva)
Powell	Sanderson	Tompkins	Ward (Tuscaloosa)
Quillin	Shepherd	Tunstall	Ware
Ringer	Simpson	Vickers	Weldon
Rivers	Smith	Waddell	Winn
Rogers (Mobile)			

—73

Nays:

Messrs:

Cannon

Fite

Howard

Poole

—4

And said bill, S. 220,

To amend Section 10288 of the Code of Alabama, 1923.

Was read a second time and placed on the calendar.

Mr. Lee moved that H. 1000 be taken from the Adverse Calendar of the House and placed on the regular calendar of the House.

And on motion of Mr. Adcock the motion of Mr. Lee was laid upon the table.

Mr. Hollis moved that H. 1103 be taken from the Adverse Calendar and placed on the regular calendar of the House. And the motion of Mr. Hollis was lost.

Yeas, 39; Nays, 52.

Yeas:

Messrs:

Mr. Speaker

Adcock

Allen

Anderson

Brunson

Bryant

Cannon

Christian

Cockrell

Darden

Edwards

Frey

Golson

Graves

Guy

Hollis

Howard

Hughes

Jeter

Johnson

Jones (Cleburne)

Langdon

Lawler

McAdory

Miller (Sumter)

Mullen

Owens

Parish

Pitts

Powell

Quillin

Ringer

Rivers

Shepherd

Stewart (Bibb)

Tompkins

Tunstall

Ward (Tuscaloosa)

Weldon

—39

Nays:

Messrs:

Ashcraft

Baldwin

Beebe

Burleson

Burns

Carter

Cook

Deloney

Denson

Edmundson

Fite

Goode

Goodwyn

Green

Grove

Hampton

Harwood

Hawkins

Hightower

Hubbard

Jones (Bullock)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Lee

Luck

Martin

Matthews

Merrill

Miller (Marengo)

Molette

Moxley

Patterson

Pegues

Powell

Rankin

Rogers (Mobile)

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shivers

Simpson

Smith

Starnes

Stephens

Stewart (Calhoun)

Vickers

Waddell

Wallace

Ward (Geneva)

Webb

Weldon

—52

RECESS

On motion of Mr. Simpson the House recessed until 2:30 o'clock this afternoon.

FORTY-SIXTH DAY—AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulations as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this Act, except such laws pertaining to revenue.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 18, Nays 4.

And said bill, H. 391, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at

length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 18, Nays 3.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bill and ordered same sent forthwith to the House without engrossment:
By Mr. Fite:

S. 581. In relation to time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee as follows:

Rules, S. 581.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House bills:

H. 318. In relation to the Educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations.

Also:

H. 857. To form road districts in Baldwin County, Alabama, and to provide for the establishment, betterment, construction and maintenance of public roads, bridges, causeways and ferries in such districts, for levying and collecting annually a tax not exceeding one per centum on the value of the taxable property in such district, in addition to all taxes now authorized under

the constitution and laws of the State of Alabama, or that may be hereafter authorized under any amendment thereof, other than the amendment submitted by the Legislature validating this act, to be applied on account of the expense of the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for holding elections in such districts to authorize such tax; for authorizing additional or successive levies of such tax unless and until the aggregate of annual levies shall be one per centum on the value of the taxable property in such districts for a period of twenty (20) years from the date of the vote thereon; for the advancement of said county of monies to be used for the establishment, construction, betterment and maintenance of public roads, bridges, causeways and ferries in such districts; for the return to the County from the proceeds of such special tax all monies so advanced; for the borrowing by said County on its credit of monies to be advanced for the establishment, betterment, construction and maintenance of such public roads, bridges, causeways and ferries in such districts, all indebtedness so created to be in addition to that now allowed to be incurred by such County under the Constitution of Alabama or that may hereafter be allowed under any amendment thereof other than the amendment submitted by this Legislature validating this Act.

Also:

H. 694. To alter and rearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

Also:

H. 497. To amend Section 6702 of the Code of Alabama, 1923.

Also:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities, or like governing bodies; to provide authority and empower the board of administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define and provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving

over, along or upon such roads; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State bonds for construction and maintenance of roads, issue and sale of; Good Roads Day established; offenses concerning toll, bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this Act except such laws pertaining to revenue.

Also:

H. 6. To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

And finds same correctly enrolled.

Robt. R. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the resolution:

H. J. R. 289. Relative to adjournment of the two houses until Tuesday, August 23, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendment to the following House bill:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for or in any way having to do with or relating to

the protection, conservation, preservation, and propagation and development of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama, and provide for and establish in lieu thereof the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a Commissioner of Conservation of Game, Fish and Seafood and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of Conservation of Game, Fish and Seafood, and the Commissioner of Conservation of Game, Fish and Seafood; to provide for all officers, agents and employees in, under or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses and further to provide for the bonding of same, to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the State or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this Act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in all protected game, birds fish, and species of seafood, and provide for license for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties, to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provis-

ions of this Act and the enforcement of same to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

Conferees on part of the Senate: Messrs. Holmes, Craft and Ellis of Shelby.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 871. To amend Section 5191, Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 62; Nays, 7.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lee	Rogers (Mobile)
Adcock	Goode	Luck	St. John
Allen	Graves	McAdory	Sanders (Pike)
Anderson	Green	Matthews	Sanderson
Ashcraft	Grove	Merrill	Shivers
Baldwin	Guy	Miller (Marengo)	Smith
Beebe	Harwood	Miller (Sumter)	Starnes
Bryant	Hawkins	Molette	Stephens
Burns	Hightower	Mullen	Stewart (Calhoun)
Carter	Howard	Nipper	Tompkins
Cook	Hubbard	Patterson	Tunstall
Darden	Hughes	Pegues	Waddell
Denson	Jeter	Pitts	Ward (Geneva)
Edmundson	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Fite	Jordan (Washington)	Rivers	Webb
Frey	Kirkpatrick		

—62

Nays:

Messrs.:

Cannon	Hollis	Jones (Cleburne)	Stewart (Bibb)
Cockrell	Johnson	Ringer	

—7

On motion of Mr. Green the bill H. 871 was sent to the Senate without engrossment.

H. 1008. To amend Sections 3023, 3024, and 3025, of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 74; Nays, 2.

Yeas:

Messrs.:

Mr. Speaker	Ashcraft	Bryant	Carter
Adcock	Baldwin	Burleson	Christian
Allen	Beebe	Burns	Cockrell
Anderson	Brunson	Byars	Cook

Darden	Hughes	Nipper	Shivers
Deloney	Jeter	ratterson	Simpson
Denson	Jones (Cleburne)	Pegues	Smith
Fite	Jordan (Etowah)	Pitts	Starnes
Frey	Jordan (Washington)	Powell	Stephens
Golson	Kirkpatrick	Quillin	Stewart (Calhoun)
Goode	Langdon	Rankin	Tunstall
Graves	Lee	Ringer	Vickers
Green	Luck	Rivers	Wallace
Grove	McAdory	Rogers (Mobile)	Ward (Geneva)
Harwood	Matthews	St. John	Ward (Tuscaloosa)
Hawkins	Merrill	Sanders (Pike)	Ware
Hightower	Miller (Marengo)	Sanderson	Webb
Howard	Miller (Sumter)	Shepherd	Winn
Hubbard	Mullen		

—74

Nays:—Messrs. Cannon and Tompkins—2.

On motion of Mr. Harwood the bill H. 1008 was sent to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 120. To further regulate primary and general elections of associate justices of the Supreme Court; justices of the Court of Appeals; judges of the Circuit Courts and associate members of the Public Service Commission.

H. 948. Abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said Board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this act shall go into effect upon its approval.

H. 949. To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.

H. 975. To extend the boundary lines of the city of Alexander City, Alabama, and to describe the area included in such extension of boundary lines and within such city.

H. 1058. To make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

H. 54. To pay the Town of Livingston for school building and lot conveyed by said town to the State for the State Normal School located at Livingston.

H. 646: To amend Sections 1, 2, 3, 4, 5, 23 and 26 of an act entitled "An Act to regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb County, Ala., and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb County, Alabama. To regulate the public road and bridge affairs of Bibb County, Alabama, to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof", approved September 19, 1919.

H. 1001. To create an Inferior Court, to be known as the Gadsden Inferior Court, for Precincts One (1) and Twenty-six (26) of Etowah County, Alabama, which Precincts lie within or partly within the City of Gadsden, Alabama, in lieu of Justices of the Peace and Notary Publics with the power of a Justice of the Peace; to prescribe the jurisdiction, authority, power and duties of said court and the officers thereof; to provide for the transfer of cases from Justices of the Peace and Notary Publics with the power of a Justice of the Peace to the Gadsden Inferior Court; to provide rules of procedure of said court; and to provide for execution of process and operation of said court.

H. 1064. To authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said County, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include the notice and substance of bills advertised at and during the present Legislature.

H. 1062. Authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

H. 620. To vacate a portion of the public street or highway in the Town of Atmore, Alabama, now forming a curve or turnout in State Road Number 9, and situated at or near the right of way of the Louisville & Nashville Railroad Company, and adjacent to Greenlawns Addition and Eastland Addition in said

Town of Atmore, and to relinquish and abandon all rights of the public in and to the portion of said street or highway so vacated.

H. 1063. Authorizing the Probate Judge or Deputy Solicitor of Wilcox County to employ a competent shorthand writer to take stenographic notes of the testimony in County Court, in Justice Court and before Judge of Probate Court in Criminal cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment.

H. 986. To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violation of this Act.

H. 984. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such counties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use thereof; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to expend county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and authorizing such counties to enter into such contracts and operate

such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this act authorizes the governing bodies of such counties to do.

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

H. 841. To create in all cities in the State of Alabama, having a population of not less than Fifty Thousand and not more than One Hundred and Fifty Thousand, according to the last or any subsequent Federal census, special funds to be known as "Municipal Employees Pension and Relief Funds"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all Municipal employees in such cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payment for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a Capitol Board of Pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this act shall take effect; and to provide that any section or provision of this act being held unconstitutional shall not affect the validity of any other section or provision.

H. 852. Providing that in all counties of the State having a population of not less than eighty-five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the clerks of all courts in such counties shall tax fifty cents as costs in all criminal cases brought in any courts of any of said counties arising within the police jurisdiction of the largest city in such county, and pay the same, when collected into the "Municipal Employees Pension and Relief Fund" of the largest city in said county.

H. 343. To provide for the establishment of a Demonstration Farm at or near each of the State Secondary Agricultural Schools of Alabama, to provide for the necessary physical plants and equipment for such farms, to authorize and empower county boards of revenue or county commissioners or other bodies having similar jurisdiction in each county to appropriate funds for aiding in the purchase of land and equipment for said farms, to make appropriations for the maintenance of said farms and provide for their management and control.

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

H. 1042. To empower municipal corporations having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to provide for, regulate, and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied and the location and use of buildings and structures, and the use of land for trade industry, residences and other purposes, and to regulate the housing or residence within such city of different classes of inhabitants.

H. 1045. Conferring upon all cities in this State having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, the same power and authority with respect to matters of sanitation in the territory outside of the corporate limits of such city, but within police jurisdiction thereof, which it has within the territory embraced within the corporate limits of such city; and authorizing such cities to construct and re-construct systems of sanitary sewers and sewage treatment and disposal plants and outlets for such sewers and sewage systems outside of the corporate limits of such city and within the police jurisdiction of such city; and authorizing the assessment of the whole or part of the cost of such construction upon property served, benefited or increased in value, where such property lies outside the corporate limits of such city, but within the police jurisdiction of such city; and authorizing such cities

to issue bonds to pay for the cost of such construction and re-construction.

H. 481. To amend Section 10306 of the Code of Alabama, 1923.

H. 748. To amend Section 7331 of the Code of 1923—Secretary of Court; removal, vacancy, salary, etc.

H. 859. To provide that in Bibb County, Alabama, the informer shall receive one-fourth of the fine in all cases of conviction for a violation of the prohibition law of Alabama, and to provide for the payment of same in Bibb County, Alabama.

H. 673. To authorize the State Board of Administration of Alabama to pay out of the Insurance Fund, to the County Board of Education of Washington County, the sum of Six Thousand One Hundred Seventy-seven (\$6,177.00) Dollars and 00/100 to cover the loss sustained through the burning of the public school building at Chatom on the first day of April, 1924.

H. 962. For the relief of persons suffering damage caused by the breaking of the State's dam at Speigner, Alabama.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 759. To authorize the Board of Education of any county in this State in order to acquire, construct, or repair any school building in any school district of their respective counties, or for paying for a public school building or building already built in any such district or to raise money for any such purpose, or to pay any person, firm or corporation for labor done or material furnished or money furnished for the purpose of building any public school building in such district, the title to which is invested in the State of Alabama, to issue and sell 6% interest bearing school warrants payable out of the three mill district school taxes now levied or which may be hereafter levied and collected in said school district in such amount as may be necessary for such purpose or purposes.

Was read a third time at length and passed.

Yeas, 67; Nays, 1.

Yeas:

Messrs:

Adcock
Allen
Anderson
Ashcraft
Baldwin
Beebe
Brunson

Bryant
Burleson
Burns
Byars
Christian
Cockrell
Cook

Darden
Denson
Frey
Goode
Goodwyn
Graves
Green

Grove
Harwood
Hawkins
Hightower
Hollis
Howard
Hughes

Jeter	McAdory	Rankin	Stewart (Calhoun)
Johnson	Matthews	Ringer	Tompkins
Jones (Bullock)	Miller (Marengo)	Rivers	Waddell
Jones (Cleburne)	Miller (Sumter)	St. John	Ward (Geneva)
Jordan (Etowah)	Mullen	Sanders (Pike)	Ward (Tuscaloosa)
Jordan (Washington)	Nipper	Shivers	Ware
Kirkpatrick	Patterson	Simpson	Webb
Lee	Pegues	Smith	Weldon
Lovelace	Pitts	Starnes	Winn
Luck	Powell	Stephens	

—67

Nay:—Mr. Cannon—1.

On motion of Mr. Miller of Marengo the bill H. 759 was sent to the Senate without engrossment.

H. 210. To authorize cities and towns having a population of not more than six thousand inhabitants according to the latest Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to fix and collect licenses for business, trade or profession done within the corporate limits thereof.

Was taken up. Mr. Ward of Geneva offered the following amendment to the bill, H. 210:

Amend House Bill No. 210 by Ward of Geneva by adding at the end of Section one the following words:

“Provided that this Act shall not have the effect to repeal or modify the limitations provided by Sections 2157, 2158, 2159, 2160, 2161, 2162, of the Code of Alabama of 1923, relating to railroads, express companies, sleeping car companies, telegraph companies, telephone companies, and public utilities.”

Amendment to House Bill 210, by Mr. Ward, by adding thereto after Section 1,

Provided that the provisions of this Act shall not apply to any business, trade or profession or other subjects upon which license may be imposed, conducted or operated in any unincorporated town, which in whole or in part may lie within the police jurisdiction of any incorporated town.

Amendment to title of House Bill 210:

Amend the title of House Bill 210 by striking therefrom the words: “within the corporate limits thereof”, and adding in their stead after the word “done” the following words: “outside the corporate limits, but within the police jurisdiction thereof.

And the amendment offered by Mr. Ward of Geneva was adopted.

Yeas, 55; Nays, 12.

Yeas:

Messrs.:

Adcock	Baldwin	Bryant	Carter
Allen	Beebe	Burns	Cook
Ashcraft	Brunson	Byars	Darden

Denson	Jordan (Washington)	Patterson	Shepherd
Fite	Kirkpatrick	Pegues	Shivers
Frey	Lee	Pitts	Simpson
Green	Lovelace	Powell	Smith
Grove	McAdory	Quillin	Stewart (Calhoun)
Guy	Matthews	Rankin	Ward (Geneva)
Howard	Merrill	Rivers	Ward (Tuscaloosa)
Hubbard	Miller (Marengo)	Rogers (Mobile)	Ware
Hughes	Miller (Sumter)	St. John	Webb
Jeter	Mullen	Sanders (Pike)	Winn
Jones (Bullock)	Nipper	Sanderson	

—55

*Nays:**Messrs.:*

Cannon	Deloney	Hightower	Jordan (Etowah)
Christian	Harwood	Hollis	Luck
Cockrell	Hawkins	Jones (Cleburne)	Weldon

—12

And said bill,

H. 210. To authorize cities and towns having a population of not more than six thousand inhabitants according to the latest Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to fix and collect licenses for business, trade or profession done within the corporate limits thereof.

As amended, was read a third time at length and passed.

Yeas, 48; Nays, 18.

*Yeas:**Messrs.:*

Mr. Speaker	Cook	Hughes	Pitts
Adcock	Darden	Johnson	Powell
Allen	Denson	Kirkpatrick	Quillin
Ashcraft	Fite	Lee	Rivers
Baldwin	Frey	Lovelace	Sanders (Pike)
Brunson	Golson	McAdory	Shivers
Bryant	Goode	Matthews	Smith
Burleson	Goodwyn	Miller (Marengo)	Stephens
Burns	Grove	Mullen	Stewart (Calhoun)
Byars	Guy	Nipper	Tunstall
Carter	Howard	Patterson	Ward (Geneva)
Christian	Hubbard	Pegues	Ward (Tuscaloosa)

—48

*Nays:**Messrs.:*

Cannon	Hollis	Moxley	Simpson
Cockrell	Jeter	Rankin	Starnes
Harwood	Jones (Cleburne)	Rogers (Mobile)	Stewart (Bibb)
Hawkins	Jordan (Etowah)	Shepherd	Ware
Hightower	Luck		

—18

(With amendment):

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000.-

000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of the State Bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said amendment being as follows:

Committee Amendment to H. 1124:

Further amend the bill by adding at the end of Section 10 the following: "Provided that all appropriations made in any section of this Act for Daphne Normal School shall not be available unless the town or community of Daphne first provide at its own expense a suitable building site or suitable acreage for said State Normal School, approved by the Governor, the State Superintendent of Education and the Chairman of the State Board of Administration, at the present site or some new site nearby the present site, and in addition the town or community of Daphne shall make adequate provision for sanitary conditions, sewage disposal facilities, light, water, and a school district with a school population adequate for practice teaching facilities as required by the standards of the American Association of Teachers' Colleges; and, provided that when these conditions or provisions have been fully met by the town or community of Daphne as determined by the judgment or opinion of the Governor, the State Superintendent of Education, and the Chairman of the State Board of Administration, the Governor shall authorize the release of the appropriations as provided in this Act for the State Normal School located at Daphne. Provided further that if the State Normal School is moved from the present site at Daphne, in accordance with the provisions of this section, all appropriations made to the State Normal School at Daphne provided for in this Act or heretofore or hereafter provided by law for the support of the said institution shall be applied and used exclusively for the Daphne State Normal School as re-located and for the same purposes as provided for in the Acts making the appropriations. Provided further that the Thirty Thousand (\$30,000.00) Dollars raised by the town or community of Daphne and paid in the school's treasury, in pursuance of an Act adopted the 29th day of September, 1919, reported Acts 1919, page 741, is to be used and is required to be used in assisting or aiding the town or community of Daphne, in

meeting or complying with the provisions and conditions imposed upon the said town or community of Daphne by this Act before the appropriations herein made for the Daphne Normal School are to be released or made available for the use of said Daphne Normal School, and nothing herein shall be construed to repeal the appropriations made by said Act of September 29, 1919, the condition therein made having been fully complied with."

Further amend the bill by amending Section 4 by adding thereto at the end thereof,

Provided further that in municipalities of over twenty-five hundred population the title to such school sites shall be vested in the municipality receiving such aid.

Further amend the bill by amending Section 10 by adding at the end thereof the following:

"Any funds not exceeding \$300,000 in addition to those specifically apportioned by this Act and by the constitutional amendment validating this Act, accruing from the sale of said State Bond Issue, are hereby apportioned and appropriated to the State Normal School at Daphne to be released in the same manner and used for the same purposes as the funds specifically apportioned by this Act to said school."

Further amend the bill as follows:

Amend Section 3 by inserting the words "except as otherwise provided in this Act" immediately following the first word "That" in said section.

Amend Section 4 by striking out the figure "7" where it appears in said section and inserting the figure "3" in lieu thereof.

Amend Section 5 by striking out all that part of said section beginning with the word "provided" where it first appears in said section.

Amend Section 5 by inserting the words, "any City or County" immediately after the word "when", where it first appears in the first line of said section.

Mr. Miller of Sumter offered the following amendment to the amendment reported by the Standing Committee on Judiciary:

Amend the amendment reported by the Standing Committee on Judiciary to Sec. 10 of the bill by striking out the figures \$300,000 and inserting in lieu thereof the figures \$150,000.

And the amendment offered by Mr. Miller of Sumter to the amendment reported by the Standing Committee on Judiciary was adopted.

And the amendment reported by the Standing Committee on Judiciary as amended by the amendment of Mr. Miller of Sumter was adopted.

Yeas, 66; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Lee	Rogers (Mobile)
Allen	Goode	Lovelace	St. John
Ashcraft	Green	McAdory	Sanders (Pike)
Baldwin	Grove	Matthews	Sanderson
Beebe	Harwood	Merrill	Shivers
Bryant	Hawkins	Miller (Sumter)	Simpson
Burleson	Hightower	Mullen	Stephens
Burns	Hollis	Nipper	Stewart (Calhoun)
Byars	Howard	Patterson	Tompkins
Cannon	Hubbard	Pegues	Tunstall
Carter	Hughes	Pitts	Vickers
Christian	Jeter	Powell	Ward (Tuscaloosa)
Cockrell	Jones (Bullock)	Quillin	Ware
Cook	Jones (Cleburne)	Rankin	Webb
Deloney	Jordan (Etowah)	Ringer	Weldon
Denson	Jordan (Washington)	Rivers	Winn
Fite	Kirkpatrick		

—66

And said bill,

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding twenty million (\$20,000,000.00) dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State bond issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a State-wide school building survey, and to make an appropriation therefor.

As amended, was read a third time at length and passed.

Yeas, 72; Nays, 2.

Yeas:

Messrs.:

Adcock	Denson	Johnson	Patterson
Allen	Fite	Jones (Bullock)	Pegues
Anderson	Frey	Jones (Cleburne)	Pitts
Ashcraft	Goode	Jordan (Etowah)	Powell
Baldwin	Goodwyn	Jordan (Washington)	Quillin
Beebe	Green	Kirkpatrick	Ringer
Brunson	Grove	Lee	Rivers
Bryant	Hampton	Lovelace	Rogers (Mobile)
Burleson	Harwood	Luck	Sanders (Pike)
Burns	Hawkins	McAdory	Sanderson
Byars	Hightower	Matthews	Shepherd
Cannon	Hollis	Merrill	Shivers
Christian	Howard	Miller (Marengo)	Smith
Cockrell	Hubbard	Miller (Sumter)	Stephens
Cook	Hughes	Mullen	Stewart (Bibb)
Darden	Jeter	Nipper	Stewart (Calhoun)

Tompkins	Waddell	Ware	Weldon
Tunstall	Ward (Tuscaloosa)	Webb	Winn

—72

Nays:—Messrs. Simpson and Vickers—2.

(With amendment):

H. 1125. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing and improving public schools and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

Was taken up. The question was upon the amendment reported by the Standing Committee on Judiciary. Said amendment being as follows:

Amend House bill 1125 by striking out the following wherever it appears in the bill: "Six per cent (6%)" and inserting in lieu thereof the following: "five per cent (5%)".

And the amendment reported by the Standing Committee on Judiciary was adopted.

Yeas, 73; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Denson	Jones (Cleburne)	Rivers
Adcock	Fite	Jordan (Washington)	Rogers (Mobile)
Allen	Frey	Kirkpatrick	Sanders (Pike)
Anderson	Goode	Lovelace	Sanderson
Ashcraft	Goodwyn	Luck	Shepherd
Baldwin	Green	McAdory	Shivers
Beebe	Grove	Matthews	Smith
Brunson	Hampton	Merrill	Stephens
Bryant	Harwood	Miller (Marengo)	Stewart (Bibb)
Burleson	Hawkins	Miller (Sumter)	Stewart (Calhoun)
Burns	Hightower	Mullen	Tompkins
Byars	Hollis	Nipper	Tunstall
Cannon	Howard	Patterson	Waddell
Carter	Hubbard	Pitts	Ward (Tuscaloosa)
Christian	Hughes	Powell	Ware
Cockrell	Jeter	Quillin	Webb
Cook	Johnson	Rankin	Weldon
Darden	Jones (Bullock)	Ringer	Winn
Deloney			

—73

Nay:—Mr. Vickers—1.

And said bill,

H. 1125. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing and improving public schools and other educational buildings in the State of Alabama as authorized the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

As amended, was read a third time at length and passed.

Yeas, 65; Nays, 2.

Yeas:**Messrs:**

Adcock	Deloney	Jones (Bullock)	Rivers
Allen	Denson	Jones (Clebune)	Rogers (Mobile)
Anderson	Fite	Jordan (Etowah)	Sanders (Pike)
Ashcraft	Frey	Jordan (Washington)	Sanderson
Baldwin	Goode	Lovelace	Shivers
Beebe	Goodwyn	Luck	Smith
Brunson	Green	McAdory	Stephens
Bryant	Grove	Matthews	Stewart (Bibb)
Burleson	Harwood	Merrill	Stewart (Calhoun)
Burns	Hightower	Miller (Marengo)	Tompkins
Byars	Hollis	Miller (Sumter)	Tunstall
Cannon	Howard	Mullen	Waddell
Carter	Hubbard	Nipper	Ward (Tuscaloosa)
Christian	Hughes	Pegues	Ware
Cockrell	Jeter	Pitts	Webb
Cook	Johnson	Quillin	Winn
Darden			

—65

Nays:—Messrs. Simpson and Vickers—2.

On motion of Mr. Miller of Sumter the bill H. 1125 was sent to the Senate without engrossment.

NOTICE IN WRITING**NOTICE**

Notice is hereby given under Rule 29 of the House that on the next Legislative Day I will move to take S. 456 from the Adverse Calendar and place same on the regular calendar of the House.

D. F. Anderson.

Aug. 19, 1927.

MESSAGE FROM THE SENATE**Mr. Speaker:**

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hines:

S. 518. To amend Section 6771 of the Code of Alabama.

By Mr. Ellis of Shelby:

S. 555. In relation to the expenditure of the proceeds of a State Bond issue of not exceeding Twenty Million (\$20,000,000) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and the improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State Bond Issue

allocated to the institutions of higher learning, including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

By Mr. Stanley (With N. & P.):

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said County.

With notice and proof thereto attached and herewith exhibited as follows:

A PROPOSED BILL

Notice is hereby given that a bill will be introduced in the Legislature of Alabama during the 1927 session thereof, which bill is in substance as follows:

A bill to be entitled, An Act

"To fix the amount of the salary of the judge of the county court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said judge, drawn on the treasury of said county, and to make such warrants a preferred claim against the treasury of said county."

Be it enacted by the Legislature of Alabama:

Section 1. That there shall be paid out of the county treasury of Conecuh County, Alabama, to the judge of the county court of said county an annual salary in equal monthly installments of \$1,800.00, which shall be in lieu of all fees or compensation allowed by law to such judge for services rendered in and about such county court, the payment of such salary to be by warrant of such judge drawn on the treasury of the county. Such warrants shall be preferred claims against the treasury of said county.

Section 2. This Act shall become effective on its approval by the Governor.

State of Alabama,

Conecuh County.

Before me, W. S. Dresden, Clerk Circuit Court, in and for said State and County, personally appeared R. Gaston Bozeman, who being sworn says on oath that he is editor and publisher of the Evergreen Courant, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated July 21st, 1927, the second insertion being in issue dated July 28th, 1927, the third insertion being in issue dated August 4th, 1927, and the fourth insertion being in issue dated August 11th, 1927.

R. Gaston Bozeman.

Sworn to and subscribed before me this the 11th day of August, 1927.

(Seal)

W. S. Dresden,
Clerk Circuit Court.

By Mr. Ellis of Shelby:

S. 560. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing and improving public school and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

By Mr. Loflin (With N. & P.):

S. 573. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given that the following bill will be introduced at the present session of the Legislature:

AN ACT

To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

Section 1. Be it enacted by the Legislature of Alabama: That the Tax Assessor and Tax Collector of Coffee County, Alabama, shall remain in the Town of New Brockton for a period of two days and at Kinston two days during the months of October, November and December, from eight o'clock in the morning until four o'clock in the afternoon, of each year, for the purpose of collecting and assessing State and County taxes.

Section 2. That the Tax Collector and Tax Assessor shall give notice as they see fit, either by publication or by posting notices, of the time they will attend each of said towns for the purpose of assessing and collecting taxes.

Section 3. That the Tax Assessor and Tax Collector shall not be required to keep their offices open in any other place or places in the county, either in person or by deputy during the time they are collecting and assessing taxes as provided in Section 1 of this Act.

Section 4. Be it further enacted that all laws and parts of laws inconsistent with the provisions of this Act are hereby repealed.

Enterprise, Ala., June 14, 1927.

John M. Loflin,
State Senator for the 25th District.

State of Alabama, }
Coffee County. }

Before the undersigned, a Notary Public in and for said State and County, personally appeared J. H. Singleton, publisher of Enterprise Ledger, a newspaper published at Enterprise, in Coffee County, who states on oath that the attached notice was published four (4) consecutive issues in said newspaper, of dates: June 17 and 24, July 1 and 8, 1927.

J. H. Singleton.

Sworn to and subscribed before me this 15th day of August, 1927.
(SEAL)

J. L. Jeter,
Notary Public.

By Mr. Ellis of Dallas (With N. & P.):

S. 575. To authorize Dallas County or the City of Selma to remit taxes which may be assessed by such County or City, for County or Municipal purposes, against any manufacturing enterprise now or hereafter located in such County or Municipality, for a period of not exceeding ten years.

With Notice and Proof thereto attached and herewith exhibited as follows:

State of Alabama, }
County of Dallas. }

Before me, Minnie E. Galt, a Notary Public in and for said county, personally appeared F. T. Raiford, who being by me first duly sworn, deposes and says:

That he is the Editor of The Selma-Times Journal, a newspaper published in Dallas County, Alabama, and that the following notice hereto attached and made a part hereof was published once a week for four consecutive weeks in said newspaper, the same having been published therein on the 13th day of July, the 20th day of July, the 27th day of July, and the 3rd day of August, 1927; said notice being as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama providing, in substance, that Dallas County or the City of Selma may remit the taxes assessed, for county or municipal purposes, against any manufacturing enterprise now or hereafter located in such county or municipality for a period of not exceeding ten years.
13-20-27-3

Chamber of Commerce of Selma, Alabama.

F. T. Raiford,

Publisher of the Selma Times-Journal.

Sworn to and subscribed before me this the 13th day of August, 1927.
(SEAL)

Minnie E. Galt,

Notary Public, Dallas County, Alabama.

By Mr. Walton:

S. 513. To amend Section 3005 Code of Alabama 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate standing committees as follows:

Judiciary S. 518; S. 555; S. 560.

Local Legislation, S. 569; S. 573; S. 575.

Education, S. 513.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House bill and returns same herewith to the House:

H. 702. To amend Section 6717 of the Code of Alabama of 1923.

H. 1006. To provide for the payment of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

H. 33. To authorize the loan of money at 7% or less, and to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

H. 935. To amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama 1923, and providing for the regulation, supervision and taxation of building and loan associations and to fix penalties for the violations of this Act.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill H. 702, said Senate amendment being as follows:

SUBSTITUTE FOR HOUSE BILL 702

H. 702. A Bill to be entitled an act to amend Section 6717 of the Code of Alabama, 1923.

Be it enacted by the Legislature of Alabama:

That Section 6717 of the Code of 1923, be, and the same is hereby amended so as to read as follows:

6717. (3265) (926) (663) (666) (760) (642)

Compensation to such Bailiffs.—Bailiffs actually serving in court shall receive three dollars a day for every day they serve, to be paid out of the county treasury on the certificate of the presiding judge showing that his service was necessary. In circuits composed of one county having two circuit judges, each judge of said Courts shall have the power and authority to appoint one bailiff (who shall receive a salary of \$1,800.00 per annum, payable in twelve equal monthly installments out of the treasury of the county constituting said circuit, upon warrant of the President of the Board of Revenue.

In circuits composed of one county having three circuit judges, each judge shall have the power and authority to appoint one bailiff, and the sheriff of said County shall have the power and authority to appoint two additional bailiffs when ordered to do so by any of the judges of said Court, and each bailiff shall receive a salary of \$1,800.00 per annum, payable in twelve equal monthly installments out of the treasury of the county constituting said circuit, upon the warrant of the President of the Board of Revenue.

The bailiffs appointed by the judges under this section shall be in lieu of bailiffs for said Courts provided for under section 6716 of the Code of Alabama. Nothing in this section or the

preceding section shall apply to circuits having five or more judges.

Yeas, 59; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Johnson	Rivers
Adcock	Golson	Jordan (Etowah)	Rogers (Mobile)
Anderson	Goode	Jordan (Washington)	Sanders (Pike)
Ashcraft	Goodwyn	Lovelace	Sanderson
Baldwin	Green	McAdory	Shepherd
Brunson	Grove	Merrill	Simpson
Bryant	Guy	Moxley	Smith
Burleson	Harwood	Mullen	Stephens
Burns	Hawkins	Nipper	Stewart (Calhoun)
Cannon	Hightower	Patterson	Tompkins
Carter	Hollis	Pegues	Tunstall
Christian	Howard	Pitts	Vickers
Darden	Hubbard	Quillin	Webb
Deloney	Hughes	Rankin	Winn
Fite	Jeter	Ringer	

—59

And on motion of Mr. Langdon the House concured in and adopted the Senate amendment to the bill H. 1006, said Senate amendment being as follows:

Amend House bill No. 1006 by adding in the title of said bill immediately after the word "payment" in the 1st line of said title the word "in Pickens County, Alabama."

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Jones (Cleburne)	Quillin
Adcock	Edwards	Jordan (Etowah)	Rankin
Allen	Fite	Jordan (Washington)	Sanders (Conecuh)
Beebe	Frey	Langdon	Sanders (Pike)
Brunson	Golson	Lawler	Sanderson
Bryant	Goode	Lee	Starnes
Burleson	Goodwyn	Miller (Marengo)	Stephens
Burns	Graves	Miller (Sumter)	Stewart (Bibb)
Byars	Green	Molette	Stewart (Calhoun)
Cannon	Grove	Morrow	Wallace
Carter	Hollis	Moxley	Ward (Geneva)
Christian	Howard	Mullen	Ward (Tuscaloosa)
Cockrell	Howell	Owens	Ware
Cook	Jeter	Parish	Webb
Darden	Johnson	Poole	Weldon
Deloney	Jones (Bullock)	Powell	Winn
Denson			

—65

And on motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill H. 923, said Senate amendment being as follows:

AMENDMENT TO H. 923

Amend H. 923, by striking out section 1 of said bill and inserting in lieu thereof the following:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city all that territory lying within the County of Montgomery included within the following boundaries, to-wit:

Beginning at the water's edge on the south side of the Alabama River at a point where the north line of section 11, township 16, Range 17, touches said river, thence west along the north lines of said Section 11 to the northwest corner thereof; thence south along the west line of said section 11, 1320 feet; thence west and parallel to the north line of section 10 to the north side of Broadfoot Street; thence northwesterly along the north side of Broadfoot Street to the northwest side of Bibb Street; thence southwesterly along the northwest side of Bibb Street to the boundary of United States Reservation, Maxwell Field; thence along the northern and eastern boundaries of the United States Reservation, Maxwell Field, to the northeast corner of Lot 18 of the Ashley Plat of Section 10; thence southeasterly along the west side of a forty foot street, (being the eastern boundary of the United States Reservation Maxwell Field), to the north side of the Cahaba or Selma Road; thence southwesterly along the north side of the Cahaba or Selma Road; to the Half Section line running north and south through section 15; thence south along the Half section line running north and south through Section 15 to the Quarter Section Post on the South Side of Section 15; thence East along the South line of Section 15 to the south east corner of Section 15; thence south along the section lines between Sections 22 and 23 to the southwest corner of Section 23; thence east along the section line on the south side of Section 23 to the east right of way line of the Atlantic Coast Line Railway; thence southeasterly along the said east right of way line of the Atlantic Coast Line Railway to the Half Section line running east and west through Section 25; thence east along the half section line running east and west through section 25 to South Court Street Extension, which is the east line of Section 25, all of the above described territory being in Township 16, Range 17; thence continuing east along the Half Section lines running east and west through sections 30 and 29 to the Quarter Section post on the east side of Section 29; thence north along the Section lines between Sections 28 and 29; and 20 and 21 to the southwest corner of Section 16; thence east

along the south line of Section 16 to the south east corner of Section 16; thence north along the east line of Section 16 to the northeast corner of Section 16; thence west along the line between the Sections 9 and 16 to the quarter Section Post on the south side of Section 9; thence north along the half section lines of Sections 9 and 4 to the quarter section post on the north side of Section 4; thence west along the north line of section 4 to the northwest corner of Section 4; all of the above sections after crossing Court Street Extension being in Township 16, Range 18; from the northwest corner of Section 4, or the southeast corner of Section 32, Township 17, Range 18; thence north along the east line of Section 32, 1320 feet; thence west and parallel to the south line of Section 32 to the west line of Section 32; thence north 1320 feet to the quarter section post on the east side of Section 31, thence west along the half section line running east and west through section 31, township 17, range 18, to the west line of section 31, said point being on the continuation of north Court Street; thence continuing west along the half section line running east and west through sections 36 and 35, township 17, range 17, to the water's edge on the east side of the Alabama River; thence down the Alabama River along the water's edge thereof, to the point of beginning all of the above described territory being in Montgomery County, Alabama.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Miller (Marengo)	Shepherd
Adcock	Graves	Miller (Sumter)	Shivers
Allen	Green	Molette	Simpson
Anderson	Grove	Morrow	Smith
Ashcraft	Guy	Moxley	Starnes
Baldwin	Hampton	Mullen	Stephens
Burleson	Harwood	Patterson	Thompson
Burns	Howard	Pegues	Tompkins
Byars	Howell	Quillin	Waddell
Cannon	Johnson	Rankin	Wallace
Carter	Jones (Bullock)	Reeder	Ward (Geneva)
Christian	Jordan (Washington)	Ringer	Ward (Tuscaloosa)
Cockrell	Kirkpatrick	Rivers	Ware
Edmundson	Luck	Rogers (Mobile)	Webb
Edwards	McAdory	St. John	Weldon
Golson	Martin	Sanderson	Winn
Goode			

And on motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill H. 922, said Senate amendment being as follows:

SUBSTITUTE FOR H. 922.

H. 922. A Bill to be entitled an act to alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said city.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, re-arranged and extended so as to include within the corporate limits of said City all that territory lying within the County of Montgomery included within the following boundaries, to-wit:

Beginning at the water's edge on the south side of the Alabama River at a point where the North line of section 11, township 16, Range 17, touches said River, thence West along the North lines of said Section 11 to the northwest corner thereof; thence South along the West line of said section 11, 1320 feet; thence West and parallel to the North line of Section 10 to the North side of Broadfoot Street; thence Northwesterly along the North side of Broadfoot Street to the Northwest side of Bibb Street; thence southwesterly along the Northwest side of Bibb Street to the boundary of the United States Reservation, Maxwell Field; thence along the Northern and Eastern boundaries of the United States Reservation, Maxwell Field, to the Northeast corner of Lot 18 of the Ashley Plat of Section 10; thence southeasterly along the West side of a forty foot street, (being the Eastern boundary of the United States Reservation, Maxwell Field), to the North side of the Cahaba or Selma Road; thence Southwesterly along the North side of the Cahaba or Selma Road; to the Half Section line running North and South through Section 15; thence South along the Half Section line running North and South through Section 15 to the Quarter Section Post on the South Side of Section 15; thence East along the South line of Section 15 to the South east Corner of Section 15; thence South along the Section lines between Sections 22 and 23 to the Southwest corner of Section 23; thence East along the section line on the South Side of Section 23 to the East Right of Way line of the Atlantic Coast Line Railway; thence southeasterly along the said East Right of Way line of the Atlantic Coast Line Railway to the Half Section line running East and West through Section 25; thence East along the Half section line running East and West through Section 25 to South Court Street Extension, which is the East line of Section 25, all of the above described territory being in Township 16, Range 17; thence continuing East along the Half Section lines running East and West through Sections 30 and 29 to the Quarter Section post on the East side of Section 29; thence North along the Section lines

between Sections 28 and 29; and 20 and 21 to the Southwest corner of Section 16; thence East along the South line of Section 16 to the South East corner of Section 16 thence North along the East line of Section 16 to the Northeast Corner of Section 16; thence West along the line between the Sections 9 and 16 to the quarter Section Post on the South Side of Section 9; thence North along the Half Section lines of Sections 9 and 4 to the Quarter Section post on the North side of Section 4; thence West along the North line of Section 4 to the Northwest corner of Section 4; all of the above sections after crossing Court Street Extension being in Township 16, Range 18; from the Northwest Corner of Section 4, or the Southeast corner of Section 32, Township 17, Range 18; thence North along the East line of Section 32, 1320 feet; thence west and parallel to the south line of Section 32 to the West line of Section 32; thence North 1320 feet to the quarter section post on the east side of Section 31, thence west along the half section line running east and West through Section 31, Township 17, Range 18, to the West line of Section 31, said point being on the continuation of North Court Street; thence continuing West along the half section line running East and West through sections 36 and 35, Township 17, Range 17, to the water's edge on the East side of the Alabama River; thence down the Alabama River along the water's edge thereof, to the point of beginning all of the above described territory being in Montgomery County, Alabama.

Section 2. That the boundaries set out in Section one of this Act be and the same are hereby established as the corporate limits of the said city of Montgomery effective September 30th, 1927.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Lee	Sanders (Conecuh)
Adcock	Grove	Lovelace	Sanders (Pike)
Allen	Hollis	Martin	Sanderson
Beebe	Howard	Matthews	Shepherd
Brunson	Howell	Merrill	Stephens
Carter	Hubbard	Miller (Marengo)	Stewart (Bibb)
Christian	Hughes	Miller (Sumter)	Thompson
Deloney	Jeter	Molette	Tompkins
Denson	Johnson	Morrow	Tunstall
Edmundson	Jones (Bullock)	Moxley	Waddell
Edwards	Jones (Cleburne)	Patterson	Wallace
Fite	Jordan (Etowah)	Pegues	Ward (Geneva)
Frey	Jordan (Washington)	Pitts	Ward (Tuscaloosa)
Golson	Kirkpatrick	Poole	Webb
Goode	Langdon	Rogers (Mobile)	Weldon
Goodwyn	Lawler	St. John	Winn
Graves			

And on motion of Mr. Waddell the House concurred in and adopted the Senate amendment to the bill H. 33, said Senate amendment being as follows:

Amend the bill by striking out the words and figures "7%" wherever they appear in the title and body of the bill, and inserting in lieu thereof the words and figures "six per cent."

Yeas, 56; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Johnson	Rivers
Adcock	Fite	Jordan (Etowah)	Rogers (Mobile)
Baldwin	Frey	Lovelace	Sanders (Pike)
Beebe	Golson	Merrill	Sanderson
Brunson	Goode	Miller (Sumter)	Shepherd
Bryant	Goodwyn	Mullen	Smith
Burleson	Grove	Nipper	Stephens
Burns	Harwood	Patterson	Stewart (Calhoun)
Byars	Hightower	Pegues	Tompkins
Cannon	Hollis	Pitts	Tunstall
Carter	Howard	Powell	Vickers
Darden	Hubbard	Quillin	Waddell
Deloney	Hughes	Rankin	Ware
Denson	Jeter	Ringer	Webb

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Nay:—Mr. Simpson—1.

Mr. Waddell moved to reconsider the vote by which the House concurred in and adopted the Senate amendment to the bill H. 33, and then moved to table the motion to reconsider and the motion to table prevailed.

On motion of Mr. Jordan of Etowah the House concurred in and adopted the Senate amendment to the bill H. 935, said Senate amendment being as follows:

H. 935. A bill to be entitled an Act to amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama, 1923 and providing for the regulation, supervision, and taxation of building and loan associations—and to fix penalties for violation of this Act.

Section 1. Be it enacted by the Legislature of Alabama that Section 7097 of the Code of Alabama 1923 be amended so as to read as follows:

Three or more persons residents of the State of Alabama may become a body corporate for the purpose of carrying on the business of a Building and Loan Association by filing with the Superintendent of Banks a certificate of incorporation, which shall conform with the provisions of this Act. The said Superintendent of Banks shall make, or have made, the investigation provided for in Section 7103 of the Code of Alabama of 1923 as amended, and when the Association has conformed to the laws of

the State of Alabama, shall issue a certificate approving the certificate of incorporation which shall be addressed to the Probate Judge of the county in which the association is to have its principal place of business, and signed and verified by each of the incorporators. This certificate of approval shall be authority to the Probate Judge to receive the certificate of incorporation. The certificate of incorporation shall set forth:

(a) The name and style under which it is proposed to incorporate such association. No name shall be assumed that is identical with that of any other association in this State, or which so much resembles the name of any other such association as to be likely to lead to confusion as to its identity.

(b) The amount of capital stock subscribed and the amount of cash actually paid in thereon, which shall not be less than Five Thousand Dollars (\$5000.00).

(c) The names and residences of the incorporators, the amount subscribed by each and the amount of cash paid in by each subscriber, the names and addresses of the officers and directors chosen for the first year.

(d) The location of its principal office and place of business in this State.

(e) That the object of the association is to carry on the business of a Building and Loan Association under the provisions of the laws of this State and that it is formed to encourage industry, thrift, frugality, home building and saving among its shareholders or members; the accumulation of savings; the loaning to its shareholders of the moneys or funds so accumulated with the profits and earnings thereon and the repayment to each of his savings and profits, whenever they have accumulated to the full par value of the shares, or at any time when he shall desire the same or when the association shall desire to repay the same, but such withdrawal shall be in accordance with the By-Laws of the association; and shall also state that it is formed for all the purposes specified in this Act.

(f) The kind or classes of shares the association proposes to issue and the par or matured value thereof which shall be \$50.00 per share. The amount of capital stock shall be unlimited.

(g) The certificate may also contain any other provision which the incorporators may see fit to insert for the regulation of the business and for the conduct of the affairs of the association, provided that such provisions shall not conflict with the Constitution of Alabama. The certificate shall have attached to it the affidavit of three of the incorporators that there has been paid to the person elected treasurer for the first year, the amounts it is stated in the certificate have been paid in by the incorporators on account of their subscriptions as to the shares of the association.

Section 2. Be it further enacted by the Legislature of Alabama that Section 7098 of the Code of Alabama be amended so as to read as follows:

(1) The Judge of Probate shall then file and record the certificate of incorporation as approved by the Superintendent of Banks, and after it has been recorded the Probate Judge shall endorse thereon his certificate of registration and shall issue to the subscribers, their associates and successors a certificate under the seal of his office, stating therein the filing and recording of such certificates of incorporation, the name and style of such corporation, the location or principal place of business thereof, and that the subscribers, their associates and successors are a body corporate; and thereafter such corporation must be deemed a duly organized Building and Loan Association as provided in this Act, but the association shall not begin business until it has received a license from the Superintendent of Banks as provided in Section 7103 of the Code of Alabama of 1923 as amended.

(2) For his services the Judge of Probate shall receive fifteen cents for each one hundred words of the certificate and \$2.50 for examining this certificate. The incorporators shall pay to the Probate Judge a charter fee of Twenty-five dollars (\$25.00) to be paid into the General Fund of the State as other Charter fees are paid, and which shall be in lieu of the charter fee provided for by Section 6969 of the Code of Alabama 1923. The certificate of incorporation after it is recorded or a certified copy thereof shall be prima facie evidence of the fact of corporation.

Section 3. Be it further enacted by the Legislature of Alabama that Section 7099 of the Code of Alabama 1923 be amended so as to read as follows:

(1) A Building and Loan Association shall have the following powers:

(a) To have succession by its corporate names for the period limited in the certificate of incorporation and when no period is limited, perpetually.

(b) To sue and be sued and to adopt and use a corporate seal and the same to alter at pleasure. (c) To appoint and employ such officers and agents as the business of the association shall require. (d) To make and alter at pleasure all needed by-laws, rules and regulations for the transaction of its business and the control of its property and affairs. (e) To acquire, hold, enjoy, convey and otherwise dispose of real and personal property, needed in the operation of its business; provided that no association shall do a general real estate business or buy and sell real estate for speculative or investment purposes. (f) To borrow money; to lend money to its members only; to execute negotiable

notes, bonds and other evidence of indebtedness; to issue investment certificates, to receive deposits, and to enter into all other kinds of contracts appropriate to accumulating a fund for making loans; to cancel shares of stock that have matured or the payment on which have been withdrawn and to re-issue the same. Associations shall lend their funds to their members only. Such loans shall be secured by first mortgages on real estate, by a pledge of the association's shares. Additional loans on the same property shall be deemed to be first mortgages for the purpose of such loans. They may take their own shares as additional security and may take other additional securities for such loans. (g) Associations may provide in their By-Laws for different rates of interest and premiums on different classes of loans and charge and collect reasonable fees and charges in connection with its loans.

(2) The shares and certificates of an association shall be a legal investment for the funds of fraternal, mutual and legal reserve insurance companies, banks and such other fiduciaries as are not prohibited by the Constitution of Alabama.

(3) Minors may become shareholders and investors in, and may receive the withdrawal or matured values of their shares and the interest or dividends thereon, and give valid receipts and acquittances therefor and shall enjoy the same privileges and rights as other members, including that of pledging their shares. Shares or certificates may be issued in the name of two persons and the survivor and in the event of the death of either, the association shall be liable thereon only to the survivor, and while both are living, payments to either of dividends, loans thereon, or all or part of the withdrawal value thereof, shall discharge the liability to both.

Section 4. Be it further enacted by the Legislature of Alabama that Section 7102 of the Code of Alabama of 1923 be amended so as to read as follows:

The term "Building and Loan Association" under the laws of the State of Alabama shall apply to and include:

All associations which issue shares to be paid for by the shareholder in installments or otherwise and which make mortgage loans or loans on their own shares to members.

Section 5. Be it further enacted by the Legislature of Alabama that Section 7103 of the Code of Alabama of 1923 be amended so as to read as follows:

(1) All building and loan associations doing business in this State shall be under the supervision, regulation and inspection of the Superintendent of Banks and the Building and Loan Association Board, provided however, that the powers of the Building and Loan Association Board and of the Superintendent of Banks shall be limited so far as they are applicable to Building

and Loan Associations to those powers expressly conferred by the Laws of the State of Alabama governing Building and Loan Associations. The Superintendent of Banks shall not be an officer or director of any building and loan association, and except in the manner provided in this Act, no corporation, firm or association shall conduct or carry on the business of accumulating savings of the shareholders, members or investors, or loaning such accumulations to them in the manner of building and loan associations.

(2) There is hereby created a Building and Loan Association Board, consisting of the Superintendent of Banks, who shall be ex-officio a member of the Board, and three persons who shall be appointed by the Governor; and the said Superintendent shall be Chairman of said Board. The term of office of the three appointed members of said Board shall expire on the first day of February after the expiration of the term of office of the Governor making this appointment. If a vacancy should occur in said Board, such vacancy shall be filled by appointment by the Governor. The three appointed members of said Board shall be men of good character and experienced in the building and loan business, and connected with some building and loan association doing business as such under the Laws of the State of Alabama. No person appointed as a member of said Board shall receive any compensation for his services, except that each appointed member of such Board shall receive \$10.00 per day and traveling expenses for each day that said Board is in session, but in no event to exceed \$50.00 for each member of said Board during any one month. The compensation going to the three appointed members of said Board shall be paid, as earned, by the Superintendent of Banks out of the funds derived from the provisions of this article. Any person or party who may be aggrieved by any act of said Superintendent may appeal for redress thereof to the said Board, and the said Board may take evidence and examine witnesses with respect to the propriety and justice vel non of said act of the Superintendent complained of, and may make such findings and orders that may be necessary either to confirm or repudiate said act of the Superintendent. Full power and authority is hereby vested in said Board to review, revise and reverse or confirm any ruling or findings or orders of the superintendent, and to take evidence and examine witnesses of all parties touching such matters; provided however, that nothing in this act shall be construed to prevent any court of competent jurisdiction by a writ of mandamus or otherwise, as provided by law, from reviewing and reversing the act of said Board or the said superintendent; and upon proceedings, the court, after full hearing of matters at issue, shall enter the

proper order or decree confirming the action of said superintendent or of said Board or reversing the same.

(3) Two members of the Board of Building and Loan Associations, other than the superintendent of Banks, present at any one meeting, shall constitute a quorum. The superintendent shall give to each member of said Board at least three days' notice of the time and place of any meeting of said Board called.

(4) Before any such association, whether organized under the laws of this State or under the laws of any other state, shall engage in business in this State, it shall have received a license so to do from the superintendent of Banks. In the case of a foreign association it shall, in addition, comply with all the other laws of this State applicable to foreign corporations. Before issuing licenses to associations to do business, or before issuing certificates of approval to a Probate Judge authorizing the incorporation of associations, the Superintendent of Banks must make an examination of the proposed organization, business and affairs of such association, its forms of contracts, or shares, the terms and method of its loans, its proposed advertising and all other matters in any way bearing on its safety as an institution which money may be invested in, and the terms upon which it lends money. If any of the practices of such association are not in conformity with any of the limitations in the laws of this State contained on the powers of association, or if its advertising is misleading, or if its name resembles that of any other association doing business in the State so that confusion would likely result therefrom, or if as a result of his examination he is satisfied that such an association cannot carry out its undertaking or if the personnel of its officers and incorporators is not such as to inspire public confidence, or if he entertains reasonable doubts as to the field of service of such association he may, if so authorized by the Building and Loan Association Board, refuse to issue the certificate of approval or a license. And if at any time after issuing a license he shall become satisfied that any of the practices of such association are such that he would not have issued the license in the first instance, or are fraudulent or misleading, or are unfair, unjust, inequitable, or oppressive to any class of contributors, he shall call a meeting of the Board and submit to said Board Members the matters of default or misconduct in the practices or affairs of such association, of which meeting the association shall have notice and upon which matters the association may be heard in person or by counsel, and if said Board so directs the Superintendent shall prosecute the parties responsible therefor under the criminal laws of the State of Alabama and cancel the license of such association.

(5) All associations shall publish annually in some daily newspaper published in the city where such association has its

principal place of business, if there be such daily paper and if not then in some other newspaper at such place a full statement of their financial affairs in a form to be provided by the Building and Loan Association Board. The Superintendent of Banks shall annually, and oftener if deemed necessary by the Board to do so, make an examination of all of the affairs of each association doing business in this State and for that purpose shall be given access to all books, documents, and other property of the association. If such access be refused he may, with the approval of the Board, revoke the license of the association so refusing. If in his opinion, any association subject to the provisions of the laws of the State of Alabama governing Building and Loan Associations, is insolvent or should be wound up the Superintendent of Banks may, with the approval of the Building and Loan Association Board file a bill in equity against such association in the county where it has its principal place of business, praying the appointment of a receiver and the associations liquidation. If the court shall find that such association is insolvent or has been guilty of fraudulent or misleading practices it shall be liquidated under the court's direction.

(6) It shall be unlawful for any corporation, company, society or individual to do a building and loan business in this State unless it is in fact a building and loan association and it shall be unlawful to use in its name the term "Building and Loan," "Savings and Loan", "Building Association," "Loan and Savings," or device to hold out to the public that the institution carries on the business of a Building and Loan Association, unless it is in fact a Building and Loan Association as provided under the laws of the State of Alabama, and every such corporation using such words unlawfully as a part of its corporate name shall be fined in any sum not exceeding twenty-five dollars for each and every day it shall so unlawfully use such words as a part of its corporate name. Each association incorporated under the laws of the State of Alabama after the approval of this Act, shall use in its corporate name the term, "Building and Loan Association," provided the same shall not apply to existing associations.

(7) The funds of the association, in addition to being loaned on first mortgages and on its shares, may be deposited in any bank under federal or state supervision, may be invested in other building and loan associations doing business in the State of Alabama or in state or Government bonds.

(8) The capital of every building and loan association shall be paid by the subscribers in the manner provided by the By-Laws of such association. All payments on installment stock shall be called dues. Certificates, pass books or other evidence of the terms under which payments are made, shall be issued to

each shareholder on the first payment of dues by him. All shares matured and surrendered or cancelled shall become the property of the corporation and may be reissued. Associations may issue shares or certificates on which the full amount is paid at the time of the issue, and shares to be paid for in weekly, monthly or other installments or by payment at such time and in such manner as may be provided in the By-Laws until such shares reach their matured value or are withdrawn. The By-Laws shall provide for the different classes of shares, the manner in which they may be withdrawn in whole or in part, the extent to which they shall share in the net earnings of the association, and the dividends, if any, to be paid thereon.

(9) Members shall have the privilege of electing to be associated in classes of shares having rights and privileges of fixed and definite earnings on their contribution, and, or assuming lesser obligations and duties to or waivers in favor of other classes as each shall prefer and elect; provided however, that this Section shall not limit the right of the association to determine the class or variety of stock to be issued to any member.

(10). The voting power of members shall be such as may be provided for by the By-Laws.

(11) Associations shall not be liable for taxes levied on the shares of stock of other associations or corporations or on any excess of value in shares over and above the value of taxable value of the association's property. The holders of all classes of shares shall be deemed members of the association. Withdrawable sums shall not be deemed a part of the capital stock for purposes of taxation.

(12) All sums paid in as dues on withdrawable shares or as deposits shall have a definite withdrawable value as may be provided in the By-Laws.

(13) No person shall act as solicitor or agent for the sale of shares of stock, shares of membership, certificates or other securities or forms of investment issued by, or for the securing of loans from any association, corporation or society until he has first secured from the Superintendent of Banks a license therefor. The Superintendent of Banks, upon the request of any building and loan association doing business in this State, shall issue such license when there is filed with him a duplicate of the appointment or authorization, together with a request from such association, corporation or society that a license be issued to him to act as an agent or solicitor for it, and accompanied by a fee of ten dollars. All such licenses shall expire by limitation on the 30th day of September succeeding their issue, but shall be renewed from time to time, for an additional term of one year, upon a request therefor from the association, corporation or society originally applying, and the payment of a renew-

al fee of ten dollars. Any such license may be revoked at any time by the application of the association, corporation or society for whom it was issued, and may be revoked for cause by the Superintendent of Banks, if said Superintendent be so directed by the Building and Loan Association Board. The superintendent of banks shall keep an alphabetical list of the names of persons to whom such licenses are issued with the date of issue and renewal, and the name of the association, corporation or society for whom such licensee is authorized to act. All such licenses shall be issued under rules and regulations prescribed by the Building and Loan Association Board. The fees and requirements stipulated herein shall be in lieu of any other fee and requirement now provided for by law.

(14) Any two or more building and loan associations may unite and become incorporate in one body, with or without any dissolution or the division of the funds of either of them, or any such corporation, association or society may transfer its engagements, funds and property as may be agreed by a unanimous vote of their respective boards of directors, provided however, that any such consolidation or transfer must also be approved by the Building and Loan Association Board.

(15). Any violation of any of the provisions of this Section shall constitute a misdemeanor. Upon action brought by the Superintendent of Banks, with the approval of the Building and Loan Association Board, the Court must also issue an injunction, restraining any person, company, firm, co-partnership, or corporation from continuing to violate any provision of this Section.

(16) Municipalities may levy a license in proportion to the capital, reserve an undivided profits of the association upon the same schedule as is now provided for Banks in Section 6287 of the Code of Alabama, 1923, and none other.

Section 6. Be it further enacted by the Legislature of Alabama that Section 7104 of the Code of Alabama of 1923 be amended so as to read as follows:

On or before January first of each year every building and loan association doing business in this state shall be required to pay to the Superintendent of Banks for supervision and examination (1) an annual fee of fifty dollars (2) in addition to the annual fee each association shall be required to pay an annual assessment of twenty cents per thousand or fraction thereof, on its total assets as of January 1st, each year. The Superintendent of Banks, with the approval of the Building and Loan Association Board, shall employ a competent examiner, and such clerical help as is necessary to examine and supervise such associations and shall examine each association at least once a year and as many times as may be deemed necessary by the

Building and Loan Association Board, which said Board is also authorized to employ legal council. Any association requiring a second or more audits of its affairs in any one year shall pay to the Superintendent of Banks in addition to the above, assessments, not to exceed fifteen dollars a day and traveling expenses of the examiner making such audit. All moneys collected or received from assessments, fees, or charges for such supervision shall be for the use and benefit of the Superintendent of Banks and the Building and Loan Association Board for supervision and examination of such associations, and after paying all incidental expenses, the salary of the examiner, the per diem and expenses of the members of the Building and Loan Association Board and twelve hundred dollars per annum to the Superintendent of Banks, any surplus or residue of the funds derived under this act shall inure to the benefit of the Building and Loan Association Board for the purpose of proper supervision and regulation of Building and Loan Associations.

Section 7. Be it further enacted by the Legislature of Alabama that Section 7105 of the Code of Alabama of 1923 be amended so as to read as follows:

Foreign Building and Loan Associations, before doing any business in this State, in addition to complying with all of the laws of this State governing building and loan associations, shall obtain a license from the Superintendent of Banks by complying with the following: (1) Such associations shall file with the Superintendent of Banks, a certified copy of its charter or articles of incorporation, and by-laws showing its mode of business.

(2) A detailed report of its actual condition, including assets and liabilities.

(3) Pay the Superintendent of Banks one hundred dollars as a fee for filing the papers mentioned in this section, which said fees shall be used for the supervision and regulation of building and loan associations.

Section 8. Be it further enacted by the Legislature of Alabama that Section 7108 of the Code of Alabama be amended so as to read as follows:

Upon the foreclosure of any mortgage to an association, there shall be credited on the mortgage indebtedness the withdrawal value of any shares held by the association as collateral for the loan and thereby the shares shall become cancelled. The sale by a member of property mortgaged to an association shall carry with it the transfer of the legal ownership of the shares which are pledged to secure the loan.

Section 9. If any clause, section, division or portion of this act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other

section, clause, division or portion of this act which is not itself unconstitutional.

Yeas, 60; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Denson	Jeter	Ringer
Adcock	Edmundson	Johnson	Rivers
Anderson	Fite	Jordan (Etowah)	Rogers (Mobile)
Ashcraft	Frey	Jordan (Washington)	Sanders (Pike)
Baldwin	Goode	Lawler	Sanderson
Beebe	Goodwyn	McAdory	Stephens
Bryant	Grove	Merrill	Simpson
Burleson	Hampton	Miller (Sumter)	Smith
Burns	Harwood	Mullen	Stephens
Byars	Hawkins	Nipper	Stewart (Calhoun)
Cannon	Hightower	Patterson	Tunstall
Carter	Hollis	Pegues	Vickers
Christian	Howard	Pitts	Waddell
Darden	Hubbard	Powell	Ward (Tuscaloosa)
Deloney	Hughes	Rankin	Ware

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 9:40 A. M. on Aug. 19, 1927:

H. 142.

H. 72.

H. 960.

H. 421.

H. 725.

H. 419.

H. 756.

H. 377.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Adcock the House, in accordance with a joint resolution heretofore adopted, adjourned until Tuesday, August 23rd, 1927 at 9:30 o'clock A. M.

FORTY-SEVENTH DAY

House of Representatives,
Montgomery, Alabama
Tuesday, August 23, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Mr. Rivers of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Golson	Lovelace	Rogers (Elmore)
Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Graves	Martin	Sanders (Conecuh)
Ashcraft	Green	Matthews	Sanders (Pike)
Baldwin	Grove	Merrill	Sanderson
Bartlett	Gullatt	Miller (Marengo)	Shepherd
Beebe	Guy	Miller (Sumter)	Shivers
Brunson	Hampton	Molette	Simpson
Bryant	Harwood	Morrow	Smith
Burleson	Hawkins	Moxley	Starnes
Burns	Hightower	Mullen	Stephens
Byars	Hollis	Nipper	Stewart (Bibb)
Cannon	Howard	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cook	Jeter	Patterson	Tunstall
Darden	Johnson	Pegues	Vickers
Deloney	Jones (Bullock)	Pitts	Waddell
Denson	Jones (Cleburne)	Poole	Wallace
Desear	Jordan (Washington)	Powell	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Quillin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn

A quorum was present.

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JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 46th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 46th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Cockrell, Howell, Jordan (Etowah) Monk, Rankin and Ward of Geneva.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolution:

H. 120. To further regulate primary and general elections of associate justices of the Supreme Court; justices of the Court of Appeals; judges of the Circuit Courts and associate members of the Public Service Commission.

Also:

H. 948. Abolishing the Court of County Commissioners of Marshall County, Alabama, creating a Board of Revenue for Marshall County, Alabama, providing for the selection, nomination and election of the members of said board, their compensation and manner of payment, fixing their powers and duties, the term of their office and providing that this Act shall go into effect upon its approval.

Also:

H. 949. To provide for appointment of a general supervisor of roads, for Marshall County, Alabama, fix his duties, compensation and manner of payment.

Also:

H. 975. To extend the boundary lines of the city of Alexander City, Alabama, and to describe the area included in such extension of boundary lines and within such city.

Also:

H. 1058. To make it unlawful to use or place, or cause to be used or placed any hoop-net, fish basket, seine, or substitute for

any such devices in any of the waters of Tallapoosa, Coosa and Elmore Counties.

Also:

H. 54. To pay the Town of Livingston for school building and lot conveyed by said town to the State for the State Normal School located at Livingston.

Also:

H. 646. To amend Sections 1, 2, 3, 4, 5, 23 and 26 of an act entitled "An Act to regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb County, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb County, Alabama. To regulate the public road and bridge affairs of Bibb County, Alabama, to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax for a license tax on all vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof," approved September 19, 1919.

Also:

H. 1001. To create an Inferior Court, to be known as the Gadsden Inferior Court, for Precincts One (1) and Twenty-six (26) of Etowah County, Alabama, which Precincts lie within or partly within the City of Gadsden, Alabama, in lieu of Justices of the Peace and Notary Publics with the power of a Justice of the Peace; to prescribe the jurisdiction, authority, power and duties of said court and the officers thereof; to provide for the transfer of cases from Justices of the Peace and Notary Publics with the power of a Justice of the Peace to the Gadsden Inferior Court; to provide rules of procedure of said court; and to provide for execution of process and operation of said court.

Also:

H. 1064. To authorize and direct the Court of County Commissioners or Board of Revenue of Wilcox County to pay for advertising the notice and substance of local bills introduced in the Legislature for said County, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire County and ordered published by the Court of County Commissioners or Board of Revenue of said County, and this Act shall apply to and include the notice and substance of bills advertised at and during the present Legislature.

Also:

H. 1062. Authorizing the Court of County Commissioners or other governing body of Wilcox County to pay the Deputy Sheriff of said County a sum not exceeding thirty dollars per month for the maintenance and running expenses of his automobile; prescribing the duties of said Deputy Sheriff and fixing the method and manner of payment.

Also:

H. 620. To vacate a portion of the public street or highway in the Town of Atmore, Alabama, now forming a curve or turnout in State Road Number 9, and situated at or near the right of way of the Louisville and Nashville Railroad Company, and adjacent to Greenlawns Addition and Eastland Addition in said Town of Atmore, and to relinquish and abandon all rights of the public in and to the portion of said street or highway so vacated.

Also:

H. 1063. Authorizing the Probate Judge or Deputy Solicitor of Wilcox County to employ a competent shorthand writer to take stenographic notes of the testimony in County Court, in Justice Court and before Judge of Probate Court in criminal cases tried in the Court House; prescribing duties of said reporter, and fixing amount, method and manner of his payment.

Also:

H. 986. To prohibit the use of steel traps in Coffee County, Alabama, and prescribe punishment for the violation of this Act.

Also:

H. 984. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

Also:

H. 879. To increase the power and authority of Boards of Revenue and Road Commissioners, Courts of County Commissioners, Courts of like jurisdiction, and other governing bodies of counties, having a population of more than ninety-five thousand and less than three hundred thousand, according to the last or any subsequent Federal census, and the counties immediately adjoining any county having such a population, in connection with the construction and operation of bridges in such counties, and in connection with the acquisition of such bridges by such counties by leasing and the operation of same by such counties by lease or otherwise, and authorizing the expenditure of county funds for such purpose; and authorizing the governing bodies of such counties to authorize any person, firm or corporation to construct such bridges and to maintain and operate the same for a period of years, and to charge tolls for the use there-

of; and authorizing and empowering the governing bodies of such counties to enter into, execute and perform contracts either alone or jointly for the operation by lease or otherwise of such bridges by such counties, as free or toll bridges, and to expend county funds in the performance of such contracts and in the maintenance and operation of such bridges, whether such bridges are wholly in one county or partly in one county and partly in another; and authorizing the expenditure of county funds for the maintenance and operation of such bridges whether the same be located wholly within such county or partly outside of the limits of such county, and in paying for liability incurred by such county on account of accidents or injuries that may arise from their operation; and authorizing the governing bodies of such counties to contract with the governing bodies of adjoining counties for the joint leasing, taking over or operation of such bridges; and authorizing such counties to enter into such contracts and operate such bridges, whether they lie in part or wholly within the limits of any incorporated municipality; and defining the word "bridges"; and ratifying and confirming all contracts heretofore made by the governing bodies of such counties, whether with each other or with private parties, for the taking over, maintenance, leasing and operation of such bridges, and all contracts and agreements heretofore made by any such county through its governing body with regard to any of the matters which this Act authorizes the governing bodies of such counties to do.

Also:

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

Also:

H. 852. Providing that in all Counties in the State having a population of not less than eighty-five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the Clerks of all Courts in such counties shall tax fifty cents as costs in all criminal cases brought in any Court of any of said Counties arising within the police jurisdiction of the largest city in such county and pay the same when collected into the Municipal Employees Pension and Relief Fund" of the largest City in said County.

Also:

H. 841. To create in all cities in the State of Alabama, having a population of not less than Fifty Thousand and not

more than One Hundred and Fifty Thousand, according to the last or any subsequent Federal census, special funds to be known as "Municipal Employees Pension and Relief Funds"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all Municipal employees in such cities; to provide for the creation of such funds and for appropriations to make up deficit therein, and how such funds shall be raised or acquired; to provide for the placement and handling of such funds; to provide who shall hear and decide applications for pensions and relief; and for the drawing of warrants against said funds; and to provide against such funds being subject to garnishment or levy and sale under execution or otherwise; to provide payments for disabled members of the various departments in said cities during their disability and for the retirement of such members on pension, either by reason of term of office or disability; to provide for the pension of an employee in said cities; to provide for the appropriation for funeral expenses upon the death of any employee; to provide for the examination by proper authorities of such members in case of sickness or disability; to provide that members receiving benefits shall be bona fide residents of the county in which the pension is paid; to provide for gifts, donations, legacies, or otherwise, to be made to such funds and for the appointment of trustees and for a Capitol Board of Pensions for all purposes in connection herewith. To provide penalty for the violations of the provisions of this Act; to provide when this Act shall take effect; and to provide that any section or provision of this Act being held unconstitutional shall not effect the validity of any other section or provision.

Also:

H. 343. To provide for the establishment of a Demonstration Farm at or near each of the State Secondary Agricultural Schools of Alabama, to provide for the necessary physical plants and equipment for such farms, to authorize and empower county boards of revenue or county commissioners or other bodies having similar jurisdiction in each county to appropriate funds for aiding in the purchase of land and equipment for said farms, to make appropriations for the maintenance of said farms and provide for their management and control.

Also:

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

Also:

H. 1042. To empower municipal corporations having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants according to the last

or any subsequent Federal census, to provide for, regulate, and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied and the location and use of buildings and structures, and the use of land for trade industry, residences and other purposes, and to regulate the housing or residence within such city of different classes of inhabitants.

Also:

H. 1045. Conferring upon all cities in this state having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, the same power and authority with respect to matters of sanitation in the territory outside of the corporate limits of such city, but within police jurisdiction thereof, which it has within the territory embraced within the corporate limits of such city; and authorizing such cities to construct and re-construct systems of sanitary sewers and sewage treatment and disposal plants and outlets for such sewers and sewage systems outside of the corporate limits of such city and within the police jurisdiction of such city; and authorizing the assessment of the whole or part of the cost of such construction upon property served, benefited or increased in value, where such property lies outside the corporate limits of such city, but within the police jurisdiction of such city; and authorizing such cities to issue bonds to pay for the cost of such construction and reconstruction.

Also:

H. 481. To amend Section 10306 of the Code of Alabama, 1923.

Also:

H. 748. To amend Section 7331 of the Code of 1923—Secretary of Court; removal, vacancy, salary, etc.

Also:

H. 859. To provide that in Bibb County, Alabama, the infomer shall receive one-fourth of the fine in all cases of conviction for a violation of the prohibition laws of Alabama, and to provide for the payment of same in Bibb County, Alabama.

Also:

H. 673. To authorize the State Board of Administration of Alabama to pay out of the Insurance Fund, to the County Board of Education of Washington County, the sum of Six Thousand One Hundred Seventy-seven (\$6,177.00) Dollars and 00-100, to cover the loss sustained through the burning of the public school building at Chatom on the first day of April, 1924.

Also:

H. 962. For the relief of persons suffering damage caused by the breaking of the State's dam at Speigner, Alabama.

Also:

H. 935. To amend Section 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama 1923, and providing for the regulation, supervision and Taxation of building and loan associations and to fix penalties for the violations of this Act.

Also:

H. 33. To authorize the loan of money at 6% or less, and to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

Also:

H. 1006. To provide for the payment in Pickens County, Alabama, of a license or privilege tax on gasoline and other motor fuel and to provide for the collection thereof and penalties for violation thereof.

Also:

H. 702. To amend Section 6717 of the Code of Alabama of 1923.

Also:

H. 922. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City.

Also:

H. 923. To alter and re-arrange the boundaries of the City of Montgomery, Alabama, extending the corporate limits of said City and to zone parts of the annexed territory.

Also:

H. J. R. 163. Endorsing the demand for recognition of the equality of service of the nine classes of Officers who served in the world war and urging the Seventieth Congress of the United States to lend their support in securing the enactment of the Tyson-Fitzgerald Bill.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed bills with the original bills and find same correctly engrossed, to-wit:

H. 210. To authorize cities and towns having a population of not more than six thousand inhabitants according to the latest Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to fix and collect licenses for business, trade or profession, done outside the corporate limits, but within the police jurisdiction thereof.

Also:

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000,000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and the improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State Bond Issue allocated to the institutions of higher learning including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

R. C. Wallace,
Chairman.

The report of the Committee was concurred in and adopted.

RECOMMITTAL OF BILL

On motion of Mr. Ware, the bill:

S. 238. To amend Section 7327 of the Code of Alabama, 1923, Was recommitted to the Standing Committee on Appropriations.

RESOLUTIONS

The following Resolutions were introduced:
By Rules Committee:

H. J. R. 298. Be it resolved by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet on Thursday August 25th, 1927, and that when the two Houses adjourn on Thursday, August 25th, they adjourn to meet on Tuesday August 30th, 1927, and that when the two Houses adjourn on Tuesday August 30th, they adjourn to meet on Friday September 2nd, 1927.

And the Rules were suspended and the Resolution was adopted.

By Mr. Rogers of Mobile:

H. R. 299. Relative to making S. 348 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goodwyn:

H. R. 300. Relative to making S. 35 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Smith:

H. R. 301. Relative to making S. 521 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jones of Cleburne:

H. R. 302. Relative to making H. 937 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Norman:

H. R. 303. Relative to making H. 812 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Goode:

H. R. 304. Relative to making S. 521 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Sanderson:

H. R. 305. Relative to making S. 492 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Lovelace, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 535. To place the custody, management and administration of the salt springs and lands granted to the state under the second clause of the sixth section of the Act of Congress of March 2, 1819, under the State Commission of Forestry for state forest purposes.

S. 536. To amend Section 989 of the Code of Alabama of 1923.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said Committee in session had acted on

the following bill and ordered same returned to the House with a favorable report with amendment:

S. 238. (With amendment) To amend Section 7327 of the Code of Alabama, 1923.

Mr. DeLoney, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 690. To exempt from taxation lands leased to municipalities, including counties, and used for public park purposes.

H. 1180. To fix the salaries or compensation of the members of the State Tax Commission of Alabama and provide for the payment thereof.

Mr. Winn, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 198. To amend Section 10048 of the Code of Alabama of 1923.

S. 199. To amend Section 10043 of the Code of Alabama 1923.

S. 200. To amend Section 10044 of the Code of Alabama 1923.

S. 249. To amend Section 10048 of the Code of Alabama, 1923.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1175. To divide Coffee County, Ala., into Four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners' Districts shall be elected, and to provide for and fix their time of office; to prescribe their duties and compensation.

H. 913. To provide for the appointment of a Chief Clerk to the Deputy Clerk of the Criminal Division of the Circuit Court in all counties of the State of Alabama having a population of more than 200,000 according to the last or any subsequent federal census and to fix the compensation of said Chief Clerk of said Deputy Circuit Clerk of said counties.

H. 1136. To fix the compensation of The Chief Clerk of the Probate Court at the county site in all counties of the state of

Alabama having a population of more than 200,000 according to the last or any subsequent Federal census.

H. 1148. For the relief of John S. Hines.

H. 1177. To fix the salary of the deputy solicitor of Lee County at twelve hundred dollars per annum, payable in monthly installments of one hundred dollars, and to provide for the payment thereof:

S. 494. To exempt from ad valorem taxation the capital stock and physical property of corporations, when said capital stock is invested in and physical property consists solely of an artesian well or wells, leased by any municipality under option agreement to purchase.

S. 517. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

Mr. Lawler, Vice-Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the house with a favorable report:

H. 1182. Fixing the amount, manner of payment fund from which to be paid, time to become effective and repeal all laws and parts of laws in conflict herewith, of the salary or compensation for services to be rendered as required by law by the deputy or county solicitor of the county of Henry in the state of Alabama.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 487. To authorize the State Board of Education to prepare and maintain a register of those blind persons living in the State of Alabama in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing home industries; to aid in furnishing books, materials, and tools for rehabilitation of the blind; to devise other means of helping them; to provide for an annual report on the activities of the State Board of Education in connection therewith; and to make an appropriation for carrying out the provisions of the Act.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 421. To fix the compensation or salary of Sheriffs of the State of Alabama in counties having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the method, basis and payment of such compensation.

Mr. Ware, Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute.

(With substitute) :

H. 1104. To appropriate out of the State Treasury, Fifteen Thousand Five Hundred and Ninety-one and 38-100 Dollars (\$15,591.38) to reimburse the City of Montgomery for the paving heretofore done by it and assessed to the property owned by the State of Alabama.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILL ON SECOND READING

Mr. Long, Chairman of the Standing Committee on Rules reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report:

S. 581. In relation to time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State.

The above and foregoing bill was read a second time and placed on the Calendar.

BILL REPORTED ADVERSELY

Mr. Ware, Chairman of the Standing Committee on Appropriations reported that said Committee, in session, had acted on the following bill and ordered same returned to the House with an adverse report:

S. 69.

NOTICE GIVEN IN WRITING

Notice is hereby given that on the next Legislative Day I will make a motion to take from the Adverse Calendar, S. B. 69.

N. D. Denson.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill Number 776 without my approval. I suggest the following executive amendment, which, if concurred in, will render the Bill free from objection.

Amend Section 2 of House Bill Number 776 by striking out the words "January, 1931" where they occur therein, and substitute therefor the words, "January, 1929."

This amendment is suggested for the reason that the chairman is elected at the general election in 1928, and should take his office in January, 1929, thereafter.

Respectfully,
(Signed) Bibb Graves,
Governor.

On motion of Mr. Sanders of Conecuh the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 776. Said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lawler	Rivers
Adcock	Goode	Lovelace	Rogers (Elmore)
Allen	Goodwyn	Merrill	Rogers (Mobile)
Anderson	Graves	Miller (Sumter)	St. John
Ashcraft	Grove	Morrow	Sanders (Conecuh)
Baldwin	Gullatt	Mullen	Sanders (Pike)
Bartlett	Guy	Nipper	Shepherd
Beebe	Hampton	Parish	Simpson
Bryant	Hawkins	Patterson	Smith
Burleson	Hightower	Pegues	Thompson
Burns	Hubbard	Pitts	Tompkins
Byars	Hughes	Poole	Waddell
Christian	Johnson	Powell	Wallace
Cook	Jones (Bullock)	Quillin	Ware
Darden	Jones (Cleburne)	Reeder	Webb
Deloney	Jordan (Washington)	Ringer	Weldon
Edmundson			

—65

Which was a majority of the whole number elected to the House and said Bill:

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lawler	Rivers
Adcock	Goode	Lovelace	Rogers (Elmore)
Allen	Goodwyn	Merrill	Rogers (Mobile)
Anderson	Graves	Miller (Sumter)	St. John
Ashcraft	Grove	Morrow	Sanders (Conecuh)
Baldwin	Gullatt	Mullen	Sanders (Pike)
Bartlett	Guy	Nipper	Shepherd
Beebe	Hampton	Parish	Simpson
Bryant	Hawkins	Patterson	Smith
Burleson	Hightower	Pegues	Thompson
Burns	Hubbard	Pitts	Tompkins
Byars	Hughes	Poole	Waddell
Christian	Johnson	Powell	Wallace
Cook	Jones (Bullock)	Quillin	Ware
Darden	Jones (Cleburne)	Reeder	Webb
Deloney	Jordan (Washington)	Ringer	Weldon
Edmundson			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and as amended has passed the following House Bills:

H. 1039. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and willfully to encourage, aid, abet, cause a state of delinquency or

dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment.

H. 625. To provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof.

By Mr. Fite:

A Bill to be entitled an Act

H. 374. To provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution of Alabama, whereby the following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any

amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at the next general election, to-wit: "The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for."

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided, the qualified voters shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz: "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Brantley, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, through their respective constituted governing authorities may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall

in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for." Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the electors shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

H. 835. To provide for the Compensation of the County Solicitor of Bullock County, Alabama, and to regulate the manner of payment.

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof.

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural

experiment stations, one upon each of the four main large soil types of the State as represented in the Tennessee Valley, the Black Belt, the Wire-grass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

H. 88. To appropriate Two Hundred and Fifty-five Thousand (\$255,000.00) Dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

H. 705. To amend Sections 9384, 9386, 9394 and 9396, and to repeal Sections 9392 and 9393 of the Code of Alabama, 1923, relating to limited partnerships.

H. 382. To amend Section 5526 of the Criminal Code of Alabama.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers of Mobile the House nonconcurrent in the Senate amendment to the Bill H. 1039 and a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to said Bill. Said Senate amendment being as follows:

Amendment to House Bill No. 1039:

Amend Section 7 of said bill on the third page of said Bill where the word "Three" appears in the second line of said bill the fourth from the last word in said line by striking the word "Three" therefrom, and substituting therefor and in place of said word "Three", the word "Four."

And the Speaker named as a Committee of Conference on the part of the House Messrs. Rogers of Mobile, Vickers and Grove.

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the Bill H. 904. Said Senate amendment being as follows:

Amend Bill by adding immediately after the enacting clause instead of Sections 1, 2, 3, 4, 5, and 6, and 7, the following sections:

Section 1. That there is hereby created in and for the County of Calhoun the office of Road Supervisor, whose election or appointment is hereby authorized by the Board of Revenue of said County at the first meeting of said Board of Revenue held after the approval of this Act. He may in the discretion and at the option of the Board of Revenue be elected for a term of one year, or less time as the Board may in its discretion determine, beginning on the first day of October, 1927, and a successor to said supervisor may be elected or appointed by said Board of Revenue each year thereafter. He shall be paid a salary out of the County Treasury of Calhoun County to be fixed by the Board of Revenue of said County of not less than eighteen hundred dollars per annum, nor more than three thousand dollars per annum, payable monthly by a warrant drawn by the Chairman of said board of Revenue. Said road supervisor may be removed from office, and his successor elected, at any time at the pleasure of the Board, upon a majority vote of the entire Board in favor of his removal. The election or appointment of a Road Supervisor is wholly and entirely discretionary and optional with the Board of Revenue.

Section 2. Said road supervisor shall be a competent civil engineer or practical road builder, and shall devote all of his time to the discharge of his duties.

Section 3. Said road supervisor, under the direction of the Board of Revenue, shall have the general supervision and care of maintaining, repairing, and improving the public roads of said county and the building of new roads when such new roads are established by the Board of Revenue of said County. He shall recommend to the Board of Revenue the employment of all agents, overseers and laborers required for the work on the public roads of said County, and the compensation of such employees. He shall recommend to the Board of Revenue the purchase of all necessary road machinery, material, supplies and equipment necessary and desirable in and about the work on said public roads and shall do and perform, under the direction of the Board of Revenue of said County, all the duties in connection with the maintenance and improvement of public roads required by the general laws of this State of Boards of Revenue or Courts of County Commissioners, except the establishment of new roads or the changing of roads. Provided, however, that the Board of Revenue shall have the authority to employ agents, overseers and laborers or to purchase material, equipment, or supplies in disregard of or without the recommendation of the Road Supervisor.

Section 4. The Board of Revenue of said County shall require the said road supervisor to execute a bond, with surety to be approved by the Board of Revenue, payable to Calhoun County in a penalty not to exceed five thousand dollars per annum, for the faithful performance of his duties as supervisor and for the faithful accounting for all moneys or property of said county which may come into his hands as such supervisor.

Section 5. The Board of Revenue of said County, shall, in addition to the salary fixed for said road supervisor, provide reasonable and necessary transportation to enable the said road supervisor to discharge the duties of his office.

Section 6. If any section, clause, provision or portion of this act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this Act which is not in and of itself unconstitutional.

Section 7. Be it Further Enacted that all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Denson	Matthews	Reeder
Adcock	Edmundson	Merrill	Ringer
Allen	Fite	Molette	Rivers
Anderson	Frey	Morrow	Rogers (Mobile)
Ashcraft	Golson	Moxley	St. John
Baldwin	Hollis	Mullen	Sanderson
Bartlett	Howard	Nipper	Shepherd
Beebe	Hughes	Norman	Shivers
Bryant	Jeter	Owens	Simpson
Burns	Kirkpatrick	Parish	Stewart (Calhoun)
Byars	Langdon	Patterson	Thompson
Cannon	Lawler	Pegues	Tompkins
Carter	Lee	Pitts	Tunstall
Christian	Lovelace	Poole	Vickers
Cook	Luck	Powell	Waddell
Darden	Martin	Quillin	Wallace
Deloney			

—65

On motion of Mr. Vickers the House concurred in and adopted the Senate amendment to the Bill H. 625. Said Senate amendment being as follows:

SUBSTITUTE FOR HOUSE BILL NO. 625.

An Act to provide Detention Homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof.

Be it Enacted by the Legislature of Alabama:

Section 1. It is hereby made the duty of the Board of Revenue and Road Commissioners of Mobile County to provide detention homes for both white and colored boys and for both white and colored girls who are being detained for trial before the juvenile court of Mobile County or held under commitment from said court or to contract with some incorporated society or association within said county for the maintenance of such homes.

Section 2. There shall be appointed by and hold office at the will of the county if the homes are conducted by the county or by the society or association if conducted by a society, or association, for the care of said homes, a superintendent and matron and such other employees as may be provided by the County for the care of said homes, and all salaries of the employees of said homes shall be fixed and paid by the Board of Revenue and Road Commissioners of Mobile County.

Section 2½. All requisition for supplies and all expense of every kind and description whatsoever, including expense of supplies and provisions for the maintenance of any of the detention homes operated under authority of this Act must be approved by the Board of Revenue and Road Commissioners of Mobile County, Alabama, before they can be paid. The persons appointed on the Juvenile Court Commission, upon the expiration of the terms of office or resignation of any member of said Commission, may be members of the Board of Management of the Detention Homes, or may be any other suitable persons. The said Commission shall be non-sectarian.

Section 3. The salaries and the expenses and maintenance of said homes shall be provided as set forth in the Act, approved August 9th, 1919, on page 58 of the Local Acts of 1919, governing the payment of the Juvenile Court Commission and the home of the Juvenile delinquents by the city and county of Mobile.

Section 3½. The terms of this bill shall not interfere with the appointment by the Judge of the Juvenile Court of Mobile County, Ala., of all the officers and employees of his court as provided under the terms of the act creating the Juvenile Court of Mobile County, Ala.

Section 4. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft

Baldwin
Bartlett
Beebe
Brunson
Bryant

Burleson
Burns
Byars
Cannon
Carter

Christian
Darden
Deloney
Denson
Edmundson

Goode	Kirkpatrick	Morrow	Shepherd
Goodwyn	Langdon	Moxley	Shivers
Graves	Lawler	Mullen	Simpson
Green	Lee	Nipper	Smith
Grove	Lovelace	Norman	Starnes
Gullatt	Luck	Owens	Stephens
Guy	McAdory	Parish	Thompson
Hawkins	Martin	Patterson	Tompkins
Howard	Matthews	Rogers (Mobile)	Tunstall
Hubbard	Merrill	St. John	Vickers
Jeter	Molette	Sanderson	Waddell
Johnson			

—65

On motion of Mr. Fite the House concurred in and adopted the Senate amendment to the Bill H. 374. Said Senate amendment being as follows:

Amend the bill by adding the words "Guin, Sylacauga, Millport and Sulligent" immediately following the word "Eutaw" where it appears both in the title and body of the bill.

Amend H. B. 374 by adding thereto after the word "Eutaw" the words Ozark, Ariton, Midland City and Demopolis.

Yeas, 65; Nays, 0.

Yeas:

Messrs:			
Mr. Speaker	Fite	Jones (Bullock)	Moxley
Adcock	Frey	Jones (Cleburne)	Mullen
Allen	Golson	Jordan (Washington)	Nipper
Anderson	Goode	Kirkpatrick	Norman
Ashcraft	Goodwyn	Langdon	Rogers (Mobile)
Baldwin	Graves	Lawler	St. John
Bartlett	Green	Lee	Thompson
Beebe	Grove	Luck	Tompkins
Brunson	Gullatt	McAdory	Tunstall
Bryant	Guy	Martin	Vickers
Cook	Hampton	Matthews	Waddell
Darden	Harwood	Merrill	Wallace
Deloney	Hubbard	Miller (Marengo)	Ware
Denson	Hughes	Miller (Sumter)	Webb
Desear	Jeter	Molette	Weldon
Edmundson	Johnson	Morrow	Winn
Edwards			

—65

On motion of Mr. Norman the House concurred in and adopted the Senate amendment to the Bill H. 835 said Senate amendment being as follows:

Amend H. 835 by substituting Nine Hundred dollars for Twelve Hundred dollars wherever same occurs in bill.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Lawler	Parish
Adcock	Grove	Lee	Patterson
Allen	Gullatt	Luck	St. John
Anderson	Guy	McAdory	Sanderson
Ashcraft	Hampton	Martin	Shepherd
Baldwin	Harwood	Matthews	Shivers
Beebe	Hawkins	Merrill	Simpson
Bryant	Hightower	Miller (Marengo)	Smith
Burns	Hollis	Miller (Sumter)	Starnes
Byars	Howard	Molette	Stephens
Cook	Hughes	Morrow	Thompson
Darden	Jeter	Moxley	Tompkins
Deloney	Johnson	Mullen	Tunstall
Denson	Jones (Bullock)	Nipper	Vickers
Goode	Kirkpatrick	Norman	Waddell
Goodwyn	Langdon	Owens	Wallace
Graves			

—65

On motion of Mr. Rogers of Mobile the House concurred in and adopted the Senate amendment to the Bill H. 1043 said Senate amendment being as follows:

Amend House Bill 1043 by changing the period at the end of Section 1 to a semi-colon and adding after the semi-colon the following words:

"And provided further that the amount of any such license fixed and collected with respect to any manufacturing business, or with respect to any retail store where the amount of the license is based upon the value of the stock of goods on hand, shall not exceed one-half of the amount of license fixed for the same business when transacted within the corporate limits of the city."

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Johnson	Poole
Adcock	Edwards	Langdon	Powell
Allen	Fite	Lawler	Quillin
Beebe	Frey	Lee	Reeder
Brunson	Golson	Lovelace	Ringer
Bryant	Goode	Luck	Rivers
Burleson	Graves	McAdory	Rogers (Mobile)
Burns	Green	Martin	St. John
Byars	Grove	Matthews	Smith
Cannon	Gullatt	Merrill	Starnes
Carter	Guy	Mullen	Stephens
Christian	Hollis	Nipper	Vickers
Cook	Howard	Norman	Waddell
Darden	Hubbard	Owens	Wallace
Deloney	Hughes	Parish	Ward (Tuscaloosa)
Denson	Jeter	Pitts	Ware
Desear			

—65

On motion of Mr. Goode the House concurred in and adopted the Senate amendment to the Bill H. 387. Said Senate amendment being as follows:

Amend House Bill No. 387 as amended as follows:

1. Strike out the word "four" where it occurs in the twelfth line of the caption to said Act, and insert in lieu thereof the word, "five".

2. Between the words "Tennessee Valley" and the words "the Black Belt" where they occur in line thirteen of the caption of said Act, insert the words, "the Sand Mountain Section".

3. Strike out the word "four" where it occurs in the first line of Section one of said Act and insert in lieu thereof the word "five".

4. Between the words "Tennessee Valley" and the word "one" where they all occur in line three of section one of said Act, insert the words,— "one in the area generally known as the Sand Mountain Section."

5. Strike out the word "Two" where it occurs in line one of Section 2 of said Act, and insert in lieu thereof the word "Three".

6. Strike out the figures "\$100,000" where they occur in the third line of Section six of said Act, and insert in lieu thereof the figures "\$125,000."

Yeas, 66; Nays, 0.

Yeas:

Messrs:

Adcock	Denson	Lee	Rogers (Mobile)
Allen	Edmundson	Lovelace	St. John
Anderson	Golson	Merrill	Sanders (Conecuh)
Ashcraft	Goode	Miller (Sumter)	Sanders (Pike)
Baldwin	Goodwyn	Mullen	Sanderson
Beebe	Grove	Nipper	Shepherd
Brunson	Gullatt	Owens	Smith
Bryant	Guy	Parish	Thompson
Burleson	Hawkins	Patterson	Tompkins
Burns	Hightower	Pegues	Vickers
Byars	Hollis	Pitts	Waddell
Cannon	Howard	Powell	Ward (Tuscaloosa)
Carter	Hughes	Quillin	Ware
Christian	Johnson	Ringer	Webb
Cook	Jones (Bullock)	Rivers	Weldon
Darden	Jordan (Washington)	Rogers (Elmore)	Winn
Deloney	Lawler		

—66

On motion of Mr. Ward of Tuscaloosa the House concurred in and adopted the Senate amendment to the Bill H. 88. Said Senate amendment being as follows:

Amend Section 2 by adding at the end thereof the following: provided that one hundred thousand dollars shall be available upon the approval of this act by the Governor, and the remaining

one hundred and fifty five thousand dollars shall be available in whole or in part from time to time on the approval of the Governor, as in his opinion the condition of the Treasury may warrant. And provided further that all or any part of the appropriation made in this act which remains unpaid shall be and hereby is continued in full force and effect until paid, in full in the manner provided in this section.

Yeas, 59; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	McAdory	Sanders (Conecuh)
Allen	Gullatt	Miller (Sumter)	Sanderson
Anderson	Hampton	Mullen	Shepherd
Ashcraft	Hawkins	Nipper	Simpson
Baldwin	Hightower	Norman	Smith
Bartlett	Hollis	Owens	Stewart (Bibb)
Bryant	Howard	Parish	Thompson
Burleson	Hubbard	Patterson	Tompkins
Burns	Hughes	Pegues	Vickers
Carter	Johnson	Pitts	Waddell
Christian	Jones (Bullock)	Powell	Ward (Tuscaloosa)
Cook	Jordan (Washington)	Ringer	Ware
Darden	Lawler	Rivers	Webb
Deloney	Lee	Rogers (Elmore)	Weldon
Denson	Lovelace	St. John	

—59

On motion of Mr. Hubbard the House concurred in and adopted the Senate amendment to the Bill H. 705. Said Senate amendment being as follows:

Amend Section 2 of H. B. 705, by adding paragraph seven as follows:

(7). That such certificate must be acknowledged and sworn to by one or more of the general partners before an officer authorized to take acknowledgement who must endorse such acknowledgment and sign the same.

Amend Section 3 of H. B. 705 by adding at the end thereof the following:

"Additional general or special partners, who shall be liable as are the original general or special partners, may be added to the partnership by filing in the office of the Judge of Probate a certificate the same as is required for its original formation, acknowledged and sworn to by one or more of its general partners before an officer authorized to take acknowledgements."

Yeas, 61; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Anderson	Bartlett	Burns
Adcock	Ashcraft	Bryant	Byars
Allen	Baldwin	Burleson	Cook

Darden	Howard	Mullen	Sanders (Conecuh)
Deloney	Hubbard	Nipper	Shivers
Denson	Hughes	Norman	Simpson
Golson	Johnson	Owens	Smith
Goode	Jones (Bullock)	Parish	Thompson
Goodwyn	Jones (Cleburne)	Pegues	Tompkins
Graves	Jordan (Washington)	Pitts	Vickers
Grove	Lawler	Quillin	Waddell
Gullatt	Lee	Ringer	Ward (Tuscaloosa)
Guy	Lovelace	Rivers	Ware
Hawkins	McAdory	Rogers (Elmore)	Webb
Hightower	Merrill	St. John	Weldon
Hollis			

—61

On motion of Mr. Sanderson the House concurred in and adopted the Senate amendment to the Bill H. 382. Said Senate amendment being as follows:

COMMITTEE AMENDMENT TO H. B. 382.

A Bill to be entitled "An Act to amend Section 5526 of the Criminal Code of Alabama.

Be it enacted by the Legislature of Alabama, that Section 5526 of the Criminal Code of Alabama of 1923 be and the same is amended to read as follows:

Section 5526. Salary of Assistant Circuit Solicitor.

Said Assistant Solicitor shall receive as compensation Forty-two hundred (\$4200.00) Dollars per annum, eighteen hundred (\$1800.00) Dollars of which shall be payable out of the State Treasury, as salaries of solicitors are paid, and twenty-four hundred (\$2400.00) Dollars to be paid out of the General Funds of the County Treasury in equal monthly installments.

That this act shall take effect immediately upon its passage and approval by the Governor.

Yeas, 61; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Jordan (Washington)	Ringer
Adcock	Goode	Lawler	Rivers
Allen	Goodwyn	Lee	Rogers (Elmore)
Anderson	Grove	Lovelace	Rogers (Mobile)
Baldwin	Gullatt	McAdory	St. John
Bartlett	Guy	Martin	Sanders (Conecuh)
Beebe	Hawkins	Merrill	Sanderson
Bryant	Hightower	Miller (Sumter)	Simpson
Burns	Hollis	Norman	Smith
Byars	Howard	Owens	Tompkins
Cannon	Hubbard	Parish	Vickers
Carter	Hughes	Patterson	Waddell
Christian	Johnson	Pegues	Ware
Cook	Jones (Bullock)	Pitts	Webb
Darden	Jones (Cleburne)	Powell	Weldon
Denson			

—61

BILL TAKEN FROM ADVERSE CALENDAR

On motion of Mr. Darden, the bill:

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

Was taken from the Adverse Calendar.

Yeas, 61; Nays, 5.

Yeas:

Messrs:

Adcock	Goode	Lawler	Rogers (Mobile)
Allen	Goodwyn	Lee	Sanders (Pike)
Anderson	Grove	Luck	Sanderson
Baldwin	Gullatt	McAdory	Shepherd
Bartlett	Guy	Merrill	Simpson
Beebe	Hawkins	Miller (Sumter)	Smith
Brunson	Hightower	Morrow	Thompson
Bryant	Hollis	Mullen	Tunstall
Burleson	Howard	Nipper	Vickers
Burns	Hubbard	Owens	Waddell
Byars	Hughes	Patterson	Wallace
Carter	Jeter	Pegues	Ward (Tuscaloosa)
Darden	Johnson	Pitts	Ware
Denson	Jones (Cleburne)	Powell	Webb
Edmundson	Jordan (Washington)	Ringer	Weldon
Frey			

—61

Nays:

Messrs:

Cannon	Norman	Poole	Tompkins
Jones (Bullock)			

—5

And the bill:

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

Was read a second time and placed on the calendar of the House.

On motion of Mr. Anderson the motion to take the Bill S. 456 from the Adverse Calendar was postponed until the next Legislative Day.

Mr. Sanderson moved that the Rules be suspended in order that H. 512 be immediately considered by the House. And the motion of Mr. Sanderson was lost.

Yeas, 49; Nays, 32.

Yeas:

Messrs:

Adcock	Carter	Grove	Jones (Bullock)
Ashcraft	Darden	Gullatt	Jones (Cleburne)
Beebe	Deloney	Hollis	Jordan (Washington)
Bryant	Denson	Howard	McAdory
Burleson	Fite	Hubbard	Morrow
Burns	Frey	Hughes	Nipper
Byars	Goodwyn	Jeter	Norman

Owens	Ringer	Starnes	Wallace
Parish	Sanders (Conecuh)	Stewart (Bibb)	Ward (Tuscaloosa)
Pegues	Sanders (Pike)	Thompson	Ware
Pitts	Sanderson	Tompkins	Webb
Powell	Smith	Waddell	Weldon
Quillin			

—49

*Nays:**Messrs:*

Mr. Speaker	Golson	Lee	Rogers (Elmore)
Allen	Goode	Lovelace	Rogers (Mobile)
Anderson	Guy	Luck	St. John
Baldwin	Hampton	Matthews	Shepherd
Cannon	Hawkins	Merrill	Simpson
Christian	Hightower	Miller (Sumter)	Stephens
Cook	Johnson	Patterson	Tunstall
Edmundson	Lawler	Rivers	Vickers

—32

BILLS ON THIRD READING

H. 1166. To provide for the administration and control of the public school system in any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding Federal census; to establish a Board of Education, and provide for the manner of its selection.

Was taken up. Mr. Goodwyn offered the following substitute for the Bill, H. 1166:

A Bill to be entitled an Act to provide for the consolidation of the administration and control of the public school systems in any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding Federal census; to establish a Board of Education, in lieu of all other city and county Boards of Education in such counties, and provide for the manner of its selection and to define its authority.

Be it Enacted by the Legislature of Alabama:

Section 1. In all counties having a population of not less than seventy-five thousand, nor more than one hundred thousand, according to the last or any succeeding Federal Census, the administration and control of the public schools and the public school interests, therein and thereof, shall be under the exclusive direction and management of a Board of Education consisting of eight members, which Board shall be in lieu of any and all existing City Boards of Education and County Boards of Education, within such Counties, which such existing City and County Boards of Education are hereby abolished.

The Board hereby created shall select from its membership a Chairman, who shall be entitled to vote as any other member

of the Board, and also, in the event of a tie, shall cast the deciding vote in all matters coming before the Board.

When this law goes into effect the State Superintendent of Education, except in cases otherwise provided in this Act, shall appoint four of the members of said Board to serve until January 1, 1929, and four to serve until January 1, 1931. The successors shall be elected by the qualified electors of the County at the general election next preceding the expiration of their respective terms, and shall hold office for a term of six years and until their successors are elected and qualified.

Section 2. In all such counties in which there is situated a municipality which has a population of not less than forty thousand, such Board of Education shall be selected as follows: Five members thereof shall be elected by the City Council, City Commission, or other governing authority of such city, and three members thereof shall be elected by the qualified voters of the County as hereinafter provided, two of whom must reside outside of the corporate limits of any such municipality, and provided that the three members to be selected by the County, except as otherwise provided herein, shall be elected at the general election held in 1928 and shall take office on the first day of December following such election.

Section 3. Immediately upon this Act becoming effective the City Council, City Commission, or other governing authority of any such City, in any such County, shall appoint or elect five members of said Board of Education, whose terms of office shall be as follows: One member shall be elected for one year, one for two years, one for three years, one for four years, and one for five years, the respective successors of such members shall be so appointed or elected for a term of five years. Those members of the County Board of Education, as existing and constituted at the time this Act takes effect, who reside outside the corporate limits of any City, as defined in Section 2 of this Act, shall be and continue as members of the Board of Education created by this Act for such period as they would have continued as members of the County Board of Education, if such Board had continued to exist, and their respective successors shall be elected at the general election next preceding the expiration of their term of office.

In the event it becomes impossible to lawfully select any of those members of such Board as are to be elected by the qualified voters of any such County prior to the 30th day of June, 1928, then the State Superintendent of Education shall have authority to temporarily fill any such vacancy until such vacancy is filled by election. In the case of any vacancy by reason of resignation, death, or otherwise, such vacancy is to be filled for the unexpired term in the same manner as originally selected.

Section 4. All the rights, privileges, authority and powers now vested by law in any City Board of Education or any County Board of Education within any such County be and the same are hereby conferred upon and vested in the Board of Education created by this Act, and such Board shall have full authority to make a single coordinated system of all the City and County public schools in any such County, but no contracts, obligations or employment entered into by any of the existing Boards prior to the passage of this Act shall in any way be affected by their abolishment.

Section 5. This Act is a coordinate whole and all of the provisions herein shall be construed as interlocked and dependent one upon another, and the Courts will so construe the same.

Section 6. The provisions of this Act shall take effect the 30th day of June, 1928.

Section 7. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

And the substitute offered by Mr. Goodwyn was adopted.
Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Fite	Jones (Cleburne)	Pegues
Adcock	Frey	Jordan (Washington)	Rogers (Elmore)
Allen	Golson	Kirkpatrick	Rogers (Mobile)
Anderson	Goode	Langdon	St. John
Ashcraft	Goodwyn	Lawler	Sanders (Conecuh)
Baldwin	Hampton	Lee	Sanders (Pike)
Bartlett	Harwood	Lovelace	Sanderson
Beebe	Hawkins	Martin	Shepherd
Brunson	Hightower	Matthews	Stephens
Byars	Hollis	Merrill	Stewart (Bibb)
Cannon	Howard	Miller (Marengo)	Stewart (Calhoun)
Carter	Hubbard	Miller (Sumter)	Tunstall
Christian	Hughes	Molette	Vickers
Denson	Jeter	Norman	Ward (Tuscaloosa)
Desear	Johnson	Owens	Ware
Edmundson	Jones (Bullock)	Patterson	Webb
Edwards			

—65

And said bill:

H. 1166. To provide for the administration and control of the public school system of any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding federal census to establish a board of education and provide for the manner of its selection.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Gullatt	Miller (Sumter)	Smith
Adcock	Guy	Molette	Starnes
Brunson	Hubbard	Patterson	Stephens
Bryant	Hughes	Pegues	Stewart (Bibb)
Byars	Jeter	Pitts	Stewart (Calhoun)
Cannon	Johnson	Poole	Thompson
Carter	Langdon	Powell	Tompkins
Darden	Lawler	Quillin	Tunstall
Deloney	Lee	Reeder	Vickers
Fite	Lovelace	Ringer	Waddell
Frey	Luck	Rivers	Wallace
Golson	McAdory	Rogers (Elmore)	Ward (Tuscaloosa)
Goode	Martin	Sanderson	Ware
Goodwyn	Matthews	Shepherd	Webb
Graves	Merrill	Shivers	Weldon
Green	Miller (Marengo)	Simpson	Winn
Grove			

—65

H. 1116. To require the Tax Collector, Tax Assessor, Sheriff, Probate Judge and Clerk of the Circuit Court and all other County officers in counties having a population of two hundred thousand or more according to the last or any subsequent federal census, where such officers are paid a salary out of the county treasury to pay all fees commissions or charges of court received by them in the course of the administration of their office into the county Treasury, and to vest the property right to such fees, commissions or charges of court in the County paying the salaries of such officers.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Fite	Molette	Smith
Adcock	Frey	Morrow	Starnes
Allen	Golson	Moxley	Stephens
Anderson	Hampton	Patterson	Stewart (Bibb)
Ashcraft	Harwood	Pegues	Stewart (Calhoun)
Baldwin	Hawkins	Pitts	Thompson
Bartlett	Johnson	Poole	Tompkins
Burleson	Jones (Bullock)	Rogers (Elmore)	Tunstall
Burns	Jones (Cleburne)	Rogers (Mobile)	Vickers
Cook	Jordan (Washington)	St. John	Waddell
Darden	Kirkpatrick	Sanders (Conecuh)	Wallace
Deloney	Luck	Sanders (Pike)	Ward (Tuscaloosa)
Denson	McAdory	Sanderson	Ware
Desear	Martin	Shepherd	Webb
Edmundson	Matthews	Shivers	Weldon
Edwards	Merrill	Simpson	Winn

—64

Nay:—Mr. Jeter—1.

H. 814. To amend an Act, entitled An Act, to amend an Act to provide for opening new roads in Barbour County, Alabama, improving those now open and for keeping the same in good condition, approved Feb. 11, 1901.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Jones (Bullock)	Poole
Baldwin	Graves	Jones (Cleburne)	Powell
Bartlett	Green	Jordan (Washington)	Quillin
Beebe	Grove	Kirkpatrick	Reeder
Brunson	Gullatt	Langdon	Ringer
Bryant	Guy	Lawler	Rivers
Cook	Hampton	Lee	Shepherd
Darden	Harwood	Lovelace	Shivers
Deloney	Hawkins	Molette	Simpson
Denson	Hightower	Morrow	Smith
Desear	Hollis	Moxley	Starnes
Edmundson	Howard	Mullen	Stephens
Edwards	Hubbard	Nipper	Vickers
Fite	Hughes	Norman	Waddell
Frey	Jeter	Owens	Wallace
Golson	Johnson	Parish	Winn
Goode			

—65

H. 815. To authorize and empower the board of revenue of Barbour County, Alabama, or like governing body, to employ an attorney to represent said board in all legal matters where the services of an attorney is required and where the interest of the county may demand to fix the compensation to be paid for such service.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	McAdory	Smith
Adcock	Golson	Martin	Starnes
Allen	Goode	Matthews	Stephens
Anderson	Goodwyn	Merrill	Stewart (Bibb)
Ashcraft	Graves	Miller (Marengo)	Stewart (Calhoun)
Baldwin	Guy	Miller (Sumter)	Thompson
Bartlett	Hampton	Molette	Tompkins
Burns	Harwood	Norman	Tunstall
Byars	Hubbard	Owens	Vickers
Cannon	Hughes	Parish	Waddell
Carter	Jeter	Reeder	Wallace
Christian	Johnson	Ringer	Ward (Tuscaloosa)
Cook	Kirkpatrick	Rivers	Ware
Darden	Langdon	Shepherd	Webb
Deloney	Lawler	Shivers	Weldon
Edwards	Luck	Simpson	Winn
Fite			

—65

H. 1174. For the relief of treasurers of those counties in the State of Alabama having more than 200,000 population according to the last or any subsequent Federal census, by validating, ratifying and making legal, the payment by such treasurers to the circuit solicitors of the circuit in which such counties are located of any warrants issued and paid under the provisions of Section 2 of an Act of the Legislature of Alabama approved August 22, 1922, entitled an Act "To amend Sections 3, 6 and 7 of an Act entitled 'An Act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation,' approved September 25, 1915."

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Darden	Jones (Cleburne)	Rogers (Elmore)
Adcock	Deloney	Luck	Rogers (Mobile)
Allen	Denson	McAdory	St. John
Anderson	Desear	Martin	Sanders (Conecuh)
Ashcraft	Edmundson	Matthews	Sanders (Pike)
Baldwin	Edwards	Merrill	Sanderson
Bartlett	Fite	Miller (Marengo)	Shepherd
Beebe	Frey	Miller (Sumter)	Shivers
Brunson	Golson	Molette	Simpson
Bryant	Hampton	Morrow	Smith
Burleson	Harwood	Moxley	Starnes
Burns	Hawkins	Mullen	Stephens
Byars	Hightower	Quillin	Ware
Cannon	Jeter	Rankin	Webb
Carter	Johnson	Ringer	Weldon
Christian	Jones (Bullock)	Rivers	Winn
Cook			

—65

H. 1171. To require in all counties in this State having according to the last or any subsequent census 200,000 inhabitants or more, State and County officers and other persons whose salaries, expenses or other claims are now payable upon warrants drawn upon the County Treasurer by such officers, to be itemized, sworn to and presented to the Board of Revenue or other governing body of such counties, for audit and allowance.

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Beebe	Burns	Christian
Ashcraft	Brunson	Byars	Cook
Baldwin	Bryant	Cannon	Darden
Bartlett	Burleson	Carter	Deloney

Denson	Gullatt	McAdory	Pitts
Desear	Guy	Martin	Poole
Edmundson	Hawkins	Matthews	Powell
Edwards	Hightower	Merrill	Shepherd
Fite	Hollis	Miller (Marengo)	Shivers
Frey	Johnson	Miller (Sumter)	Simpson
Golson	Jones (Bullock)	Molette	Tunstall
Goode	Jones (Clebune)	Morrow	Vickers
Goodwyn	Jordan (Washington)	Moxley	Waddell
Graves	Kirkpatrick	Mullen	Wallace
Green	Langdon	Patterson	Ward (Tuscaloosa)
Grove	Luck	Pegues	Ware

—64

Nay:—Mr. Jeter—1.

H. 1161. To provide for the election of county superintendent of education for Walker County, to fix his term of office, to prescribe his salary and the manner of payment; to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Matthews	Shivers
Baldwin	Green	Merrill	Simpson
Bartlett	Harwood	Miller (Marengo)	Smith
Beebe	Hawkins	Miller (Sumter)	Starnes
Burns	Hightower	Molette	Stephens
Byars	Hollis	Norman	Thompson
Cannon	Howard	Owens	Tompkins
Carter	Hubbard	Pitts	Tunstall
Christian	Hughes	Poole	Vickers
Desear	Jeter	Powell	Waddell
Edmundson	Johnson	Quillin	Wallace
Edwards	Jones (Bullock)	Rogers (Mobile)	Ward (Tuscaloosa)
Fite	Jones (Clebune)	St. John	Ware
Frey	Luck	Sanders (Conecuh)	Webb
Golson	McAdory	Sanders (Pike)	Weldon
Goode	Martin	Sanderson	Winn
Goodwyn			

—65

H. 1139. To provide for the retirement of judges of circuit courts or courts of like jurisdiction, in circuits in the State of Alabama which are composed of only one county, having more than two judges and less than nine judges, or in circuits which may hereafter be composed of only one county having more than two judges and less than nine judges who have served in such capacity twenty years consecutively, and have reached the age of seventy years, to provide for their compensation and to regulate the manner of their retirement.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Lee	Rivers
Adcock	Goodwyn	Lovelace	Rogers (Elmore)
Allen	Graves	Luck	Rogers (Mobile)
Anderson	Green	McAdory	Shivers
Ashcraft	Grove	Martin	Simpson
Beebe	Hightower	Matthews	Smith
Brunson	Hollis	Merrill	Tompkins
Bryant	Howard	Miller (Marengo)	Tunstall
Cook	Jeter	Miller (Sumter)	Vickers
Darden	Johnson	Molette	Waddell
Deloney	Jones (Bullock)	Nipper	Wallace
Denson	Jones (Clebune)	Norman	Ward (Tuscaloosa)
Desear	Jordan (Washington)	Owens	Ware
Edmundson	Kirkpatrick	Parish	Webb
Edwards	Langdon	Reeder	Weldon
Fite	Lawler	Ringer	Winn
Frey			

—65

H. 1158. To fix the salary of the Deputy Solicitor for Lowndes County Alabama.

Was read a third time at length and passed.

Yeas, 64; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Lovelace	Quillin
Adcock	Goodwyn	Luck	Reeder
Allen	Graves	McAdory	Ringer
Anderson	Green	Martin	Rivers
Ashcraft	Grove	Matthews	Rogers (Elmore)
Baldwin	Gullatt	Merrill	Shepherd
Bartlett	Guy	Miller (Marengo)	Shivers
Beebe	Hollis	Miller (Sumter)	Simpson
Byars	Howard	Molette	Smith
Cannon	Hubbard	Morrow	Starnes
Carter	Hughes	Moxley	Stephens
Christian	Jeter	Mullen	Ward (Tuscaloosa)
Cook	Johnson	Pegues	Ware
Darden	Langdon	Pitts	Webb
Deloney	Lawler	Poole	Weldon
Golson	Lee	Powell	Winn

—64

H. 1162. To provide for a special election to be held in Jackson county on the second Tuesday in January, 1928, to determine whether the county Superintendent of Education shall be elected by ballot or continue to be appointed by the county Board of Education; to fix his term of office and salary; and to prescribe his qualifications.

Was read a third time at length and passed.

Yeas, 35; Nays, 29.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Jeter	Poole
Adcock	Goode	Jones (Cleburne)	Powell
Ashcraft	Goodwyn	McAdory	Ringer
Baldwin	Green	Matthews	Rivers
Brunson	Gullatt	Merrill	Sanders (Conecuh)
Bryant	Guy	Morrow	Sanders (Pike)
Byars	Hawkins	Owens	Thompson
Cannon	Hightower	Parish	Ware
Darden	Hollis	Pegues	

—35

Nays:

Messrs.:

Anderson	Howard	Nipper	Smith
Christian	Hughes	Norman	Tompkins
Cook	Jones (Bullock)	Pitts	Tunstall
Fite	Jordan (Washington)	Rogers (Elmore)	Vickers
Golson	Lovelace	Rogers (Mobile)	Waddell
Goode	Luck	Sanderson	Webb
Grove	Mullen	Simpson	Weldon
Harwood			

—29

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

Was taken up.

Mr. Jeter offered the following amendment to the Bill H. 1168.

Amend said Bill by substituting in lieu of Section 3 as follows This Act shall become effective at the expiration of the term of the present Board of Revenue of said counties.

And the amendment was adopted.

Yeas, 62; Nays, 3.

Yeas:

Messrs.:

Adcock	Fite	Hubbard	Rivers
Allen	Frey	Hughes	Shivers
Bartlett	Golson	Johnson	Smith
Beebe	Goode	McAdory	Starnes
Bryant	Goodwyn	Molette	Stephens
Burns	Graves	Morrow	Thompson
Byars	Green	Moxley	Tompkins
Cannon	Grove	Mullen	Tunstall
Carter	Gullatt	Nipper	Vickers
Christian	Guy	Norman	Waddell
Cook	Hampton	Owens	Wallace
Darden	Harwood	Pegues	Ware
Deloney	Hawkins	Quillin	Webb
Denson	Hightower	Reeder	Weldon
Desear	Hollis	Ringer	Winn
Edwards	Howard		

—62

Nays:

Messrs.:

Edmundson

Jeter

Simpson

—3

And said Bill:

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

As amended was read a third time at length and passed.

Yeas, 62; Nays, 3.

Yeas:

Messrs.:

Adcock

Hughes

Molette

Shivers

Allen

Johnson

Morrow

Smith

Anderson

Jones (Bullock)

Owens

Starnes

Ashcraft

Jones (Cleburne)

Parish

Stephens

Baldwin

Jordan (Washington)

Poole

Stewart (Bibb)

Bartlett

Kirkpatrick

Powell

Stewart (Calhoun)

Brunson

Langdon

Quillin

Thompson

Bryant

Lawler

Reeder

Tompkins

Burleson

Lovelace

Rogers (Elmore)

Waddell

Darden

Luck

Rogers (Mobile)

Wallace

Deloney

McAdory

St. John

Ward (Tuscaloosa)

Denson

Martin

Sanders (Conecuh)

Ware

Desear

Matthews

Sanders (Pike)

Webb

Frey

Merrill

Sanderson

Weldon

Hawkins

Miller (Marengo)

Shepherd

Winn

Hubbard

Miller (Sumter)

—62

Nays:

Messrs.:

Edmundson

Jeter

Simpson

—3

H. 1167. To provide for the extension of the term of office of all constables in counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census for a period of two years from the time of the expiration of their present term of office, and to provide that the present incumbents shall continue to hold said office during said period of two years by which their term is extended; and to fix and prescribe the term of office of all constables in such counties to be elected at the general election in November, 1930, and thereafter.

Was read a third time at length and passed.

Yeas, 63; Nays, 2.

Yeas:

Messrs.:

Anderson	Golson	Jeter	Pitts
Ashcraft	Goode	Johnson	Poole
Baldwin	Goodwyn	Jones (Bullock)	Powell
Burns	Graves	Jones (Clebune)	Quillin
Byars	Green	Lee	Reeder
Cannon	Grove	Lovelace	Ringer
Carter	Gullatt	Luck	Rivers
Christian	Guy	McAdory	Rogers (Elmore)
Cook	Hampton	Martin	Stewart (Bibb)
Darden	Harwood	Matthews	Stewart (Calhoun)
Deloney	Hawkins	Molette	Thompson
Denson	Hightower	Morrow	Tompkins
Desear	Hollis	Moxley	Tunstall
Edwards	Howard	Mullen	Vickers
Fite	Hubbard	Patterson	Ward (Tuscaloosa)
Frey	Hughes	Pegues	

—63

Nays:—Messrs. Edmundson and Simpson—2.

H. 853. To appropriate the sum of \$2500.00 for the relief of Clifton E. Clements.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said Committee amendment being as follows:

Amend House Bill No. 853 by striking out the words and figures twenty five hundred dollars and insert in lieu thereof the words and figures twelve hundred (\$1200.00).

And the amendment was adopted.

Yeas, 66; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Jordan (Washington)	Rogers (Elmore)
Allen	Golson	Lawler	Rogers (Mobile)
Anderson	Goode	Lee	St. John
Ashcraft	Goodwyn	Luck	Sanders (Conecuh)
Baldwin	Green	McAdory	Sanderson
Beebe	Grove	Merrill	Shivers
Brunson	Guy	Miller (Sumter)	Simpson
Bryant	Harwood	Mullen	Smith
Burleson	Hawkins	Nipper	Stephens
Byars	Hightower	Owens	Tompkins
Carter	Hollis	Parish	Tunstall
Christian	Howard	Patterson	Vickers
Cook	Hubbard	Pegues	Waddell
Darden	Hughes	Pitts	Ward (Tuscaloosa)
Deloney	Jeter	Ringer	Webb
Denson	Johnson	Rivers	Weldon
Fite	Jones (Clebune)		

—66

And said Bill:

H. 853. To appropriate the sum of \$2500.00 for the relief of Clifton E. Clements.

As amended was read a third time at length and passed.
Yeas, 61; Nays, 0.

Yeas:

Messrs.:

Adcock	Denson	Jeter	Ringer
Allen	Edmundson	Johnson	Rivers
Anderson	Frey	Jones (Cleburne)	Rogers (Elmore)
Ashcraft	Golson	Lee	Rogers (Mobile)
Baldwin	Goode	Matthews	Sanders (Conecuh)
Beebe	Goodwyn	Merrill	Sanders (Pike)
Brunson	Green	Morrow	Simpson
Bryant	Grove	Mullen	Smith
Burleson	Guy	Nipper	Stephens
Burns	Harwood	Owens	Stewart (Bibb)
Byars	Hawkins	Parish	Vickers
Carter	Hightower	Patterson	Waddell
Christian	Hollis	Pegues	Ware
Cook	Howard	Pitts	Webb
Darden	Hubbard	Poole	Weldon
Deloney			

—61

H. 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, Deceased.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations said amendment being as follows:

Amend H. B. 1027 by striking from line two of Section 1 the words or figures ten thousand dollars and insert instead the words or figures twenty five hundred dollars.

And the amendment was adopted.

Yeas, 63; Nays, 0.

Yeas:

Messrs.:

Adcock	Golson	Lee	Sanders (Pike)
Anderson	Goode	McAdory	Sanderson
Ashcraft	Goodwyn	Merrill	Shepherd
Baldwin	Green	Miller (Sumter)	Simpson
Bryant	Grove	Mullen	Smith
Burleson	Harwood	Nipper	Stephens
Burns	Hawkins	Norman	Stewart (Bibb)
Cannon	Hightower	Owens	Tunstall
Carter	Hollis	Parish	Vickers
Christian	Howard	Patterson	Waddell
Cook	Hubbard	Pitts	Ward (Tuscaloosa)
Darden	Jeter	Quillin	Ware
Deloney	Johnson	Ringer	Webb
Denson	Jones (Bullock)	Rivers	Weldon
Edmundson	Jones (Cleburne)	Rogers (Elmore)	Winn
Frey	Jordan (Washington)	Rogers (Mobile)	

—63

And said Bill:

H 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, Deceased.

As amended was read a third time at length and passed.
Yeas, 59; Nays, 0.

Yeas:

Messrs.:

Adcock	Grove	Morrow	Sanderson
Anderson	Gullatt	Mullen	Shepherd
Ashcraft	Harwood	Norman	Simpson
Baldwin	Hawkins	Owens	Smith
Bryant	Hightower	Parish	Stephens
Burleson	Howard	Patterson	Stewart (Bibb)
Burns	Hubbard	Pegues	Tunstall
Christian	Jeter	Pitts	Vickers
Cook	Johnson	Quillin	Waddell
Darden	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Ringer	Ware
Frey	Jordan (Washington)	Rivers	Webb
Golson	Lee	Rogers (Elmore)	Weldon
Goode	Matthews	Rogers (Mobile)	Winn
Goodwyn	Miller (Sumter)	Sanders (Pike)	

—59

Mr. Tompkins was excused on the Bill H. 1027 and the amendment to said Bill:

H. 832. To amend Section 6766 of the Code of 1923.

Was taken up.

Mr. Morrow offered the following substitute for the Bill H. 832.

A Bill to be entitled an Act to amend Section 6766 of the Code of 1923.

Be it enacted by the Legislature of Alabama that Section 6766 of the Code of Alabama will be amended so as to read as follows:

"The courts of county commissioners, boards of revenue or like governing bodies shall make a semi-annual publication on the first day of January and July of each year, in a newspaper published in the county, of an itemized report, showing the receipts and expenditures of money for the county, specifying particularly the sources from which received, and the purpose for which expended. Said publication must also show the entire indebtedness of the county, of whatever kind and character, specifying particularly the amount of bonds outstanding, their character and when due; the amount of the outstanding warrants, whether interest-bearing or not, and if interest-bearing, the rate of interest, for what said warrants were issued and when due and payable; provided, however, that in all counties having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, that the report above provided for shall be published annually on the first day of October of each year.

And the substitute was adopted.

Yeas, 54; Nays, 1.

Yeas:

Messrs.:

Adcock	Graves	McAdory	Rivers
Allen	Grove	Matthews	Simpson
Baldwin	Gullatt	Miller (Sumter)	Smith
Brunson	Harwood	Morrow	Stephens
Burleson	Hawkins	Mullen	Stewart (Bibb)
Burns	Hightower	Norman	Thompson
Byars	Hollis	Parish	Tompkins
Carter	Howard	Patterson	Tunstall
Cook	Hubbard	Pegues	Vickers
Darden	Jeter	Pitts	Ward (Tuscaloosa)
Deloney	Jones (Bullock)	Quillin	Ware
Edmundson	Jones (Cleburne)	Reeder	Weldon
Frey	Jordan (Washington)	Ringer	Winn
Goode	Lee		

—54

Nay:—Mr. Cannon—1.

And said Bill:

H. 832. To amend Section 6766 of the Code of 1923.

As amended was read a third time at length and passed.

Yeas, 53; Nays, 2.

Yeas:

Messrs.:

Adcock	Goode	Lee	Ringer
Allen	Goodwyn	Matthews	Rivers
Anderson	Grove	Merrill	Rogers (Elmore)
Baldwin	Gullatt	Miller (Marengo)	Sanders (Conecuh)
Brunson	Harwood	Miller (Sumter)	Simpson
Burleson	Hawkins	Morrow	Smith
Burns	Hightower	Mullen	Starnes
Byars	Hollis	Norman	Stephens
Carter	Howard	Parish	Stewart (Bibb)
Christian	Jeter	Patterson	Ward (Tuscaloosa)
Darden	Johnson	Pegues	Ware
Deloney	Jones (Bullock)	Pitts	Weldon
Edmundson	Jordan (Washington)	Quillin	Winn
Frey			

—53

Nays:—Messrs. Cannon and Waddell—2.

H. 943. To amend Schedule 11-A of Section 361 of an Act entitled 'An Act to provide for the General Revenue of the State of Alabama' approved Sept. 15th, 1919.

Was read a third time at length and passed.

Yeas, 55; Nays, 1.

Yeas:

Messrs.:

Adcock	Golson	Jones (Bullock)	Pitts
Allen	Goode	Jones (Cleburne)	Quillin
Baldwin	Goodwyn	Jordan (Washington)	Ringer
Brunson	Green	Lee	Rogers (Mobile)
Bryant	Grove	Luck	Sanders (Pike)
Burleson	Harwood	McAdory	Simpson
Burns	Hawkins	Merrill	Smith
Byars	Hightower	Miller (Marengo)	Starnes
Carter	Hollis	Miller (Sumter)	Stephens
Darden	Howard	Morrow	Tunstall
Deloney	Hubbard	Mullen	Ware
Denson	Hughes	Norman	Webb
Edmundson	Jeter	Parish	Weldon
Frey	Johnson	Patterson	

—55

Nay:—Mr. Cannon—1.

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum and the sum of one dollar additional on all license fees, exacted by said municipality amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Was taken up. Mr. Grove offered the following amendment to the Bill H. 950.

Amend Caption to H. B. 950 by striking therefrom after the word municipalities in line 6 thereof the following: "amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality amounting to seven dollars and fifty cents per annum."

Amend Section 1 of H. B. 950 by striking therefrom the following: "Amounting to less than seven dollars and fifty cents per annum and the sum of one dollar additional on all license fees exacted by said municipality of seven dollars and fifty cents or more per annum."

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Beebe	Cook	Denson
Adcock	Brunson	Darden	Desear
Allen	Bryant	Deloney	Edmundson

Edwards	Jordan (Washington)	Molette	Stewart (Bibb)
Fite	Kirkpatrick	Morrow	Stewart (Calhoun)
Frey	Langdon	Moxley	Thompson
Golson	Lawler	Pitts	Tompkins
Goode	Lee	Poole	Tunstall
Grove	Lovelace	Powell	Vickers
Gullatt	Luck	Quillin	Waddell
Guy	McAdory	Rogers (Mobile)	Wallace
Hubbard	Martin	St. John	Ward (Tuscaloosa)
Hughes	Matthews	Sanders (Pike)	Ware
Jeter	Merrill	Sanderson	Webb
Johnson	Miller (Marengo)	Starnes	Weldon
Jones (Bullock)	Miller (Sumter)	Stephens	Winn
Jones (Cleburne)			

—65

And said Bill:

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand, according to the last or any subsequent Federal census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum and the sum of one dollar additional on all license fees, executed by said municipality amounting to seven dollars and fifty cents or more per annum and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Guy	Merrill	Smith
Bartlett	Hampton	Morrow	Starnes
Beebe	Harwood	Moxley	Stephens
Brunson	Hightower	Mullen	Stewart (Bibb)
Bryant	Hollis	Parish	Stewart (Calhoun)
Burns	Howard	Patterson	Thompson
Byars	Jeter	Pegues	Tompkins
Cannon	Johnson	Pitts	Tunstall
Deloney	Langdon	Poole	Vickers
Denson	Lawler	Rogers (Elmore)	Waddell
Desear	Lee	Rogers (Mobile)	Wallace
Fite	Lovelace	St. John	Ward (Tuscaloosa)
Frey	Luck	Sanderson	Ware
Golson	McAdory	Shepherd	Webb
Goode	Martin	Shivers	Weldon
Grove	Matthews	Simpson	Winn
Gullatt			

—65

H. 840. To repeal an Act approved February 21st, 1927, entitled "An Act to require all Tax Assessors, Tax Collectors,

Judges of Probate, and Sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services and compensations, to file monthly itemized statements, under oath, with the treasurer, or such other corresponding officer, in their respective counties, showing monies received and expended by said officers in their respective offices, and departments, in all counties of the state of Alabama, having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last, or any subsequent Federal census; and to provide penalties for failure to file such reports."

Was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Golson	Miller (Sumter)	Shivers
Adcock	Goode	Molette	Simpson
Allen	Goodwyn	Mullen	Smith
Anderson	Graves	Nipper	Starnes
Ashcraft	Green	Norman	Stephens
Baldwin	Gullatt	Pegues	Stewart (Bibb)
Brunson	Guy	Pitts	Stewart (Calhoun)
Bryant	Hubbard	Poole	Thompson
Carter	Hughes	Powell	Tompkins
Christian	Jeter	Quillin	Tunstall
Denson	Johnson	Rogers (Mobile)	Vickers
Desear	Jones (Bullock)	St. John	Waddell
Edmundson	Lawler	Sanders (Conecuh)	Wallace
Edwards	Lee	Sanders (Pike)	Webb
Fite	Merrill	Sanderson	Weldon
Frey	Miller (Marengo)	Shepherd	Winn

—64

Nay:—Mr. Grove—1.

H. 971. To provide for the election of a county superintendent of education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

Was taken up. Mr. Burleson offered the following amendment to the Bill H. 971:

Amend House Bill No. 971 by striking out the figures 1928 where they occur in line one of section one and substituting therefor the figures 1930.

To further amend house bill No. 971 by striking the words and figures twenty-five hundred (\$2500.00) where they occur in line five of section five and substituting in lieu thereof the words and figures Four thousand (\$4000.00).

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Darden	Lee	Powell
Adcock	Deloney	Lovelace	Quillin
Allen	Denson	Luck	Ringer
Anderson	Desear	McAdory	Rivers
Ashcraft	Fite	Martin	Shivers
Baldwin	Frey	Morrow	Simpson
Bartlett	Golson	Moxley	Smith
Beebe	Grove	Mullen	Starnes
Brunson	Gullatt	Nipper	Tunstall
Bryant	Guy	Norman	Vickers
Burleson	Hubbard	Owens	Waddell
Burns	Hughes	Parish	Wallace
Byars	Jeter	Patterson	Ware
Cannon	Johnson	Pegues	Webb
Carter	Langdon	Pitts	Weldon
Christian	Lawler	Poole	Winn
Cook			

—65

And said Bill:

H. 971. To provide for the election of a county superintendent of education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Miller (Marengo)	Shivers
Adcock	Green	Miller (Sumter)	Simpson
Allen	Hubbard	Molette	Smith
Baldwin	Hughes	Mullen	Starnes
Bartlett	Jeter	Nipper	Stephens
Bryant	Johnson	Norman	Thompson
Burleson	Jones (Bullock)	Patterson	Tompkins
Burns	Jones (Cleburne)	Pegues	Tunstall
Cook	Jordan (Washington)	Pitts	Vickers
Darden	Kirkpatrick	Reeder	Waddell
Deloney	Langdon	Ringer	Wallace
Edwards	Luck	Rivers	Ward (Tuscaloosa)
Fite	McAdory	Rogers (Elmore)	Ware
Frey	Martin	Rogers (Mobile)	Webb
Golson	Matthews	St. John	Weldon
Goode	Merrill	Shepherd	Winn
Goodwyn			

—65

H. 883. For the relief of W. P. Hampton, and to reimburse him for expenses incurred in doctor bills, nurse hire, hospital bills, and medicine, and other expenses paid out by him while in the hospital and before recovering, after being wounded as law enforcement officer in the discharge of his duty for the State of Alabama.

Was read a third time at length and passed.
Yeas, 61; Nays, 1.

Yeas:

Messrs:

Adcock	Graves	Lovelace	Reeder
Allen	Green	Luck	Ringer
Anderson	Hampton	McAdory	Rivers
Baldwin	Hawkins	Matthews	Rogers (Mobile)
Brunson	Hightower	Merrill	Sanderson
Bryant	Hollis	Miller (Sumter)	Shivers
Byars	Howard	Morrow	Simpson
Carter	Hubbard	Mullen	Smith
Christian	Hughes	Norman	Stephens
Cook	Johnson	Owens	Vickers
Deloney	Jones (Bullock)	Parish	Waddell
Fite	Jones (Cleburne)	Patterson	Ward (Tuscaloosa)
Frey	Jordan (Washington)	Pitts	Ware
Golson	Lawler	Powell	Webb
Goode	Lee	Quillin	Weldon
Goodwyn			

—61

Nay:—Mr. Cannon—1.

H. 17. To authorize the payment of postage bills of clerks of the circuit court, sheriff, register circuit court, tax assessor, tax collector, by the respective counties of the State.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Revision of Laws. Said substitute being as follows:

COMMITTEE SUBSTITUTE FOR H. 17.

A Bill to be entitled an Act to amend section 9604 of the Code of 1923.

Be it Enacted by the Legislature of Alabama:

That Section 9604 of the Code of Alabama of 1923 be and the same is hereby amended to read as follows:

(9604. Stationery of officers paid for by county. The Judge of Probate, Tax Assessor, Tax Collector, Register of the Circuit Court in Equity, Clerk of the Circuit Court, Sheriff and the County Treasurer or Custodian must be allowed reasonable expenses, for suitable books, stationery, postage stamps used exclusively for official business, and telephones to be paid for by the county, on the approval of the Court of County Commissioners, Board of Revenue or other like governing body, and the Judge of Probate shall also be allowed expense for his seal of office, to be paid for by the county.

Yeas, 54; Nays, 6.

Yeas:**Messrs:**

Mr. Speaker	Goode	McAdory	Ringer
Adcock	Goodwyn	Matthews	Rivers
Allen	Green	Merrill	Sanderson
Anderson	Gullatt	Miller (Marengo)	Shivers
Ashcraft	Hightower	Miller (Sumter)	Stephens
Baldwin	Hollis	Mullen	Stewart (Bibb)
Brunson	Howard	Nipper	Thompson
Bryant	Johnson	Owens	Vickers
Burleson	Jones (Bullock)	Parish	Waddell
Burns	Jones (Cleburne)	Patterson	Ward (Tuscaloosa)
Carter	Jordan (Washington)	Pitts	Ware
Darden	Lee	Quillin	Webb
Frey	Lovelace	Reeder	Weldon
Golson	Luck		

—54

Nays:**Messrs:**

Cannon	Moxley	Rogers (Mobile)	Tompkins
Grove	Powell		

—6

And said Bill:

H. 17. To authorize the payment of postage bills of clerks of the circuit court, sheriff, register circuit court, tax assessor, tax collector, by the respective counties of the State.

As amended was read a third time at length and passed.

Yeas, 54; Nays, 8.

Yeas:**Messrs:**

Mr. Speaker	Graves	Luck	Reeder
Adcock	Green	McAdory	Ringer
Allen	Gullatt	Matthews	Rivers
Anderson	Harwood	Merrill	Sanderson
Ashcraft	Hightower	Miller (Marengo)	Shivers
Baldwin	Hollis	Miller (Sumter)	Smith
Bryant	Howard	Mullen	Thompson
Carter	Hughes	Nipper	Vickers
Darden	Johnson	Owens	Waddell
Edmundson	Jones (Bullock)	Parish	Ward (Tuscaloosa)
Frey	Jones (Cleburne)	Patterson	Ware
Golson	Jordan (Washington)	Pitts	Webb
Goode	Lee	Quillin	Weldon
Goodwyn	Lovelace		

—54

Nays:**Messrs.:**

Cannon	Cook	Powell	Stewart (Bibb)
Christian	Moxley	Rogers (Mobile)	Tompkins

—8

H. 1159. To permit the Board of revenue, or like body in counties having a population of not less than fifty two thousand and not more than fifty four thousand to give to the Chamber of

Commerce, or like body, in any city or town in said county, any sum of money, up to three hundred dollars per month, to be paid monthly.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Matthews	Smith
Adcock	Green	Merrill	Starnes
Allen	Grove	Mullen	Stephens
Anderson	Harwood	Nipper	Stewart (Bibb)
Ashcraft	Hawkins	Norman	Stewart (Calhoun)
Baldwin	Hubbard	Pegues	Thompson
Bartlett	Hughes	Pitts	Tompkins
Beebe	Jeter	Poole	Tunstall
Brunson	Johnson	Powell	Vickers
Bryant	Langdon	Quillin	Waddell
Burleson	Lawler	Rogers (Mobile)	Wallace
Burns	Lee	St. John	Ward (Tuscaloosa)
Cook	Lovelace	Sanderson	Ware
Darden	Luck	Shepherd	Webb
Deloney	McAdory	Shivers	Weldon
Goode	Martin	Simpson	Winn
Goodwyn			

—65

H. 1160. To authorize and empower the Board of Revenue of the County of Tuscaloosa to pay out of the General Treasury of said County the salaries of two deputies of the Sheriff of Tuscaloosa County, Alabama, said salaries not to exceed the sum of One Hundred Twenty-five and no-100 (\$125.00) Dollars per month to each of said deputies.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	Langdon	Shepherd
Anderson	Gullatt	Lawler	Shivers
Ashcraft	Guy	Lee	Simpson
Beebe	Hampton	Lovelace	Smith
Brunson	Harwood	Miller (Marengo)	Starnes
Bryant	Hawkins	Miller (Sumter)	Stephens
Cook	Hollis	Molette	Tompkins
Darden	Howard	Moxley	Tunstall
Deloney	Hubbard	Mullen	Vickers
Denson	Hughes	Nipper	Waddell
Desear	Jeter	Pegues	Wallace
Edwards	Johnson	Pitts	Ward (Tuscaloosa)
Fite	Jones (Bullock)	Poole	Ware
Frey	Jones (Clebune)	Rivers	Webb
Golson	Jordan (Washington)	Rogers (Elmore)	Weldon
Goode	Kirkpatrick	Sanderson	Winn
Green			

—65

H. 1131. To authorize and provide for the payment of the sum of Five Thousand Dollars (\$5000.00) for the relief of J. F. Clements of Montgomery County, who was injured on the 16th day of October, 1910 while in line of duty with the National Guard of Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations.

Said amendment being as follows:

To amend house bill 1131 by striking out \$5000.00 and writing in lieu thereof the figures \$2500.00.

And the amendment was adopted.

Yeas, 57; Nays, 2.

Yeas:

Messrs.:

Adcock	Goodwyn	Luck	Rogers (Mobile)
Allen	Green	McAdory	Sanders (Conecuh)
Anderson	Grove	Merrill	Sanderson
Ashcraft	Gullatt	Miller (Marengo)	Simpson
Baldwin	Hampton	Morrow	Smith
Brunson	Harwood	Mullen	Starnes
Bryant	Hawkins	Norman	Thompson
Carter	Howard	Parish	Tunstall
Cook	Hughes	Patterson	Vickers
Darden	Johnson	Pitts	Waddell
Denson	Jones (Cleburne)	Quillin	Ward (Tuscaloosa)
Edmundson	Jordan (Washington)	Reeder	Ware
Frey	Lee	Ringer	Webb
Golson	Lovelace	Rivers	Weldon
Goode			

—57

Nays:—Messrs. Hightower and Tompkins—2.

And said Bill:

H. 1131. To authorize and provide for the payment of the sum of Five Thousand Dollars (\$5000.00) for the relief of J. F. Clements of Montgomery County, who was injured on the 16th day of October, 1910 while in line of duty with the National Guard of Alabama.

As amended was read a third time at length and passed.

Yeas, 51; Nays, 9.

Yeas:

Messrs.:

Allen	Denson	Grove	Lee
Anderson	Edmundson	Gullatt	Lovelace
Baldwin	Golson	Hawkins	Luck
Brunson	Goode	Hughes	McAdory
Burleson	Goodwyn	Johnson	Merrill
Carter	Graves	Jones (Bullock)	Miller (Marengo)
Darden	Green	Jordan (Washington)	Miller (Sumter)

Mullen	Powell	Sanderson	Tunstall
Norman	Quillin	Shivers	Vickers
Owens	Reeder	Simpson	Ward (Tuscaloosa)
Parish	Ringer	Smith	Webb
Patterson	Sanders (Conecuh)	Starnes	Weldon
Pitts	Sanders (Pike)	Thompson	

—51

Nays:

Messrs.:

Adcock	Cannon	Hollis	Stewart (Bibb)
Bryant	Hightower	Rivers	Tompkins
Burns			

—9

H. 582. To amend Section 3 of an Act entitled "An Act to submit to the qualified voters of the State of Alabama, at the General Election to be held on the first Tuesday after the first Monday of November, 1928, for their consideration, an amendment to the Constitution of the State, fixing the salaries and compensations and allowances to be paid to the judge of probate, the tax assessor and the tax collector, the clerk of the circuit court, the county solicitor and the county treasurer of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County, and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation.

Was read a third time at length and passed.

Yeas, 66; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	McAdory	Sanders (Conecuh)
Allen	Goode	Matthews	Simpson
Anderson	Goodwyn	Merrill	Smith
Ashcraft	Graves	Miller (Marengo)	Starnes
Baldwin	Green	Miller (Sumter)	Stephens
Brunson	Grove	Mullen	Stewart (Bibb)
Bryant	Gullatt	Nipper	Thompson
Burns	Hawkins	Owens	Tompkins
Byars	Hightower	Patterson	Tunstall
Cannon	Hollis	Pitts	Vickers
Carter	Howard	Powell	Waddell
Christian	Hughes	Quillin	Ward (Tuscaloosa)
Cook	Johnson	Reeder	Ware
Darden	Jordan (Washington)	Ringer	Webb
Deloney	Lee	Rivers	Weldon
Edmundson	Lovelace	Rogers (Mobile)	Winn
Fite	Luck		

—66

On motion of Mr. Goode all House Bills passed at the morning session of the House were ordered sent to the Senate without engrossment.

RECESS

On motion of Mr. Hollis the House recessed until 2:45 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:45 o'clock P. M. having arrived the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker :

The President of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 395. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

S. 390. To amend Section 1 of an Act to amend Sections 3 and 6 of an Act entitled an Act to further provide for and regulate the payment of pensions to Confederate soldiers and sailors and their widows and to make necessary appropriations therefor, approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

S. 556. To amend Section Nine of an Act entitled: "An Act to establish a Board of Revenue for Lowndes County, and to define the powers and duties of said Board of Revenue" approved March 7th, 1876.

S. 367. For the relief of E. R. Harris, of Sulligent, Alabama, and to authorize and require the State Auditor to draw his warrant on the State Treasurer in favor of E. R. Harris for the sum of Two Hundred (\$200.00) Dollars, and to require the State Treasurer to pay such warrant, and to appropriate the sum of Two Hundred (\$200.00) Dollars for the payment thereof.

S. 437. To provide for the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

S. 399. To provide for and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed, an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and

maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth ($1/10$) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

S. 567. To amend Section 2336 of the Code of Alabama, 1923.

S. 528. To amend Sections 4 and 9 of an Act entitled "An Act to amend Sections two (2) three (3), five (5), six (6) seven (7), eight (8), nine (9), ten (10), thirteen (13) and fourteen (14) of an Act entitled an Act to establish an Inferior Criminal Court in the County of Mobile, Alabama, approved February 23rd, 1899"—approved February 21st, 1907.

S. 505. Empowering the clerk of the circuit court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court of Conecuh County, Alabama, and empowering said clerk to issue other process out of said County Court such as forfeiture Sci Fas, attachment of witnesses, etc., and to provide compensation for said services.

S. 511. To amend the caption and the body of an act entitled "An Act to enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 85,000 nor more than 175,00, according to the Federal census of 1920 or any subsequent Federal census; to require all cities having a population over 45,000 and less than 100,000, according to the Federal census of 1920, or any subsequent Federal census, which are located in counties having a population of not less than 85,000 nor more than 175,000, according to the Federal census of 1920, or any subsequent Federal census, to pay one-half the compensation of such humane officers; and to require said counties to pay one-half the compensation of such humane officers; to require said counties and cities to furnish an automobile to such humane officers and to pay for its upkeep and the fuel used; to repeal all conflicting laws.

S. 502. To fix and regulate the compensation of the Deputy Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent federal census, and to provide for the payment of such compensation.

S. 396. To amend sections 5 and 14 of an act approved August 28, 1923, entitled an act to establish an inferior court in pre-

cinct 36 in Dallas county, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees.

S. 443. To amend Section 8 of an act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties, and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government, approved April 8, 1911.

S. 544. To amend Section 14 of an act entitled an act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court

shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of said inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees; approved August 28, 1923.

S. 405. To relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare Tax Collector's Abstracts from said assessment lists.

S. 385. To provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature, an amendment to the Constitution of Alabama authorizing a portion of Choctaw County in said State to levy and collect a tax of five mills in addition to all taxes now authorized.

S. 393. To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of the revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

Gentlemen: I return herewith to the House of Representatives, the body in which it originated, H. B. No. 605, without my approval. I suggest the following executive amendment, which if concurred in by the Legislature, will remove any further objection to the bill:

Amend Section 3 of said bill so as to read as follows:

"Section 3. All moneys collected from persons liable to road duty, except that from persons living within two miles of any State and National Highway in said County, shall be used on the road to which the parson paying such money was apportioned; and the money collected from persons living within two miles of any State or National Highway in said county shall be delivered to the Board of Revenue or Court of County Commissioners to be apportioned among the various county roads as they may deem best."

Respectfully,
Bibb Graves,
Governor.

And on motion of Mr. Byars, the House concurred in and adopted the amendment proposed by the Governor to the bill, H. 605, said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 60; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edmundson	Jones (Cleburne)	Rivers
Adcock	Fite	Kirkpatrick	Rogers (Elmore)
Allen	Frey	Lee	Rogers (Mobile)
Anderson	Golson	Luck	St. John
Ashcraft	Goodwyn	McAdory	Sanderson
Baldwin	Graves	Matthews	Shivers
Bartlett	Grove	Merrill	Simpson
Bryant	Guy	Molette	Smith
Burleson	Hampton	Mullen	Starnes
Burns	Harwood	Patterson	Stephens
Byars	Hawkins	Pegues	Tompkins
Cannon	Hightower	Powell	Vickers
Cook	Hollis	Quillin	Waddell
Darden	Howard	Reeder	Ward (Tuscaloosa)
Desear	Johnson	Ringer	Webb

And said bill,

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama,

by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith insofar as they relate to said Lawence County.

As amended by the amendment proposed by the Governor, was read a third time at length and passed.

Yeas, 60; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Jones (Cleburne)	Rivers
Adcock	Fite	Kirkpatrick	Rogers (Elmore)
Allen	Frey	Lee	Rogers (Mobile)
Anderson	Golson	Luck	St. John
Ashcraft	Goodwyn	McAdory	Sanderson
Baldwin	Graves	Matthews	Shivers
Bartlett	Grove	Merrill	Simpson
Bryant	Gay	Molette	Smith
Burleson	Hampton	Mullen	Starnes
Burns	Harwood	Patterson	Stephens
Byars	Hawkins	Pegues	Tompkins
Cannon	Hightower	Powell	Vickers
Cook	Hollis	Quillin	Waddell
Darden	Howard	Reeder	Ward (Tuscaloosa)
Desear	Johnson	Ringer	Webb

—60

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following resolution:

By the Rules Committee:

S. J. R. 96. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to meet on Thursday, the 25th of August, 1927.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Tunstall the House concurred in and adopted the S. J. R. 96 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and Clerk thereof, and to provide for their compensation.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas 20, nays, 0.

And said bill, H. 776, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas 25, nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

H. 427. To provide that every officer, clerk, board or commission charged with the duty of contracting for, or purchasing, all stationery supplies, printing and printing supplies, engraving, lithographing and embossing, including record and blank books, tax receipts, warrant books, pay certificates, legal forms and blanks, bound and unbound books, office files and furniture, to be furnished to, or used by the various counties of the State of Alabama, or the officers thereof, shall be contracted for, or purchased from responsible bidders only; to define a responsible bidder within the meaning of this Act; to prohibit the sub-letting of contracts for supplies herein set forth to persons, firms or corporations who are not responsible bidders; to provide that all warrants issued for purchases and contracts let in violation of the provisions of this Act shall be null and void; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was taken up. Mr. Norman offered the following amendment to the bill, H. 427:

AMENDMENT TO H. 427

Amend H. 427 by adding Section 5½ as follows:

Section 5½. During the first week of September in each year the State Board of Administration may set the maximum prices at which all counties in the State of Alabama can purchase during the succeeding twelve months, the supplies enumerated in Section 1 of this Act, and the maximum prices that may be set by the State Board of Administration shall in no instance be greater than the prices prevailing on June 8, 1927.

Amend H. 427 by inserting in the caption after the words "null and void" the following: "and to fix a maximum price therefor."

On motion of Mr. Tompkins the bill, H. 427, and pending amendment was laid upon the table.

Yeas, 75; Nays, 8.

Yeas:

Messrs.:

Adcock	Golson	Lovelace	Rogers (Mobile)
Allen	Goode	Luck	St. John
Anderson	Graves	Matthews	Sanders (Conecuh)
Ashcraft	Green	Merrill	Sanders (Pike)
Baldwin	Grove	Miller (Marengo)	Sanderson
Bartlett	Guy	Molette	Shepherd
Brunson	Hampton	Morrow	Simpson
Bryant	Harwood	Moxley	Smith
Burleson	Hightower	Mullen	Stephens
Burns	Hollis	Nipper	Stewart (Bibb)
Byars	Howard	Parish	Thompson
Cannon	Hubbard	Patterson	Tompkins
Christian	Hughes	Pegues	Waddell
Cook	Johnson	Pitts	Ward (Tuscaloosa)
Darden	Jones (Cleburne)	Quillin	Ware
Deloney	Jordan (Washington)	Reeder	Webb
Denson	Kirkpatrick	Ringer	Weldon
Desear	Lawler	Rivers	Winn
Fite	Lee	Rogers (Elmore)	—75

Nays:

Messrs.:

Mr. Speaker	Gullatt	Jeter	Norman
Goodwyn	Hawkins	McAdory	Poole
			—8

PAIR ANNOUNCED

Mr. Vickers announced he was paired with Mr. Martin. If Mr. Martin was present he would vote yea and Mr. Vickers would vote nay.

H. 428. To define those persons, firms or corporations who shall be regarded or treated as responsible bidders within the meaning of Section 2899 of the Code of Alabama of 1923, and within the meaning of Section 69 of the Constitution of the State of Alabama of 1901.

On motion of Mr. Luck the bill, H. 428, was laid upon the table.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

Gentlemen: I am returning herewith to the House of Representatives, the body in which it originated, House Bill No. 377 without my approval. I suggest the following Executive amendments to the bill, which if concurred in by the Legislature of Alabama, will remove the objections to the bill:

Amend House Bill No. 377, Section 3 thereof by adding to the sentence "All fees and charges collected by the Commission under the provisions of this Act shall be paid into the State Treasury, and shall constitute a separate fund to be disbursed by the State Treasurer on order of the Board of Commissioners" the following words, "And with the approval of the Governor."

Further amend Section 3 by striking out from the bill the sentence beginning, "All expenses incurred by the Commission" and ending, "approved by the Commission" and substitute therefor the following:

"All expenses incurred by the Commission under the provisions of this Act, including the compensation of members, secretaries, clerks and assistants shall be paid out of the separate fund in the State Treasury upon warrants by the State Auditor drawn upon the State Treasurer from time to time when vouchers therefor are exhibited and approved by the Commission and approved by the Governor."

Further amend Section 3 by adding at the end of the sentence, "The State Treasurer is directed to pay money out of the separate fund hereinabove provided upon the order of the Secretary of the Board of Commissioners, countersigned by the Chairman of the Board of Commissioners" the following words "and approved by the Governor, provided the total expenses for every purpose incurred shall not exceed the total fees and charges collected and paid into the State Treasury."

"Further amend Section 3 by adding at the end thereof the following words, "and all monies remaining in the separate fund hereinafter provided for at the end of the fiscal year not expended as herein provided for shall be covered into the State Treasury and shall be and become a part of the general fund of the State."

Further amend the bill by adding Section 12 1-2 as follows:

"Section 12 1-2. Before said Board of Commissioners herein provided for shall receive a Commission and enter upon the discharge of their duties, each of said Commissioners shall take and subscribe the oath provided for by law to be taken by elective officers of the State of Alabama."

Respectfully,
Bibb Graves,
Governor.

On motion of Mr. Rogers of Mobile the House concurred in and adopted the amendment proposed by the Governor to the bill, H. 377, said amendment as proposed by the Governor being

set out in the above and foregoing Message from the Governor.
Yeas, 69; Nays, 0.

Yeas:**Messrs:**

Mr. Speaker	Goode	Luck	Rogers (Mobile)
Adcock	Goodwyn	McAdory	Sanders (Conecuh)
Allen	Graves	Merrill	Sanders (Pike)
Anderson	Grove	Miller (Marengo)	Sanderson
Ashcraft	Gullatt	Miller (Sumter)	Shivers
Baldwin	Hampton	Molette	Smith
Bartlett	Harwood	Moxley	Starnes
Branson	Hightower	Mullen	Stephens
Burleson	Hollis	Parish	Thompson
Burns	Howard	Patterson	Tompkins
Byars	Hubbard	Pegues	Waddell
Christian	Jeter	Poole	Wallace
Cook	Jones (Cleburne)	Powell	Ward (Tuscaloosa)
Darden	Jordan (Washington)	Quillin	Ware
Deloney	Kirkpatrick	Ringer	Webb
Denson	Lee	Rivers	Weldon
Desear	Lovelace	Rogers (Elmore)	Winn
Fite			

—69

And said bill,

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for a violation of the provisions hereof.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 63; Nays, 1.

Yeas:**Messrs.:**

Mr. Speaker	Grove	Miller (Marengo)	Sanders (Pike)
Adcock	Gullatt	Miller (Sumter)	Sanderson
Allen	Harwood	Molette	Shepherd
Anderson	Hawkins	Moxley	Simpson
Ashcraft	Hightower	Mullen	Smith
Baldwin	Hollis	Nipper	Stephens
Bartlett	Hubbard	Norman	Stewart (Bibb)
Brunson	Hughes	Parish	Thompson
Burleson	Jones (Cleburne)	Pitts	Tompkins
Burns	Jordan (Washington)	Poole	Waddell
Cook	Kirkpatrick	Reeder	Wallace
Darden	Lee	Ringer	Ward (Tuscaloosa)
Deloney	Lovelace	Rivers	Ware
Fite	McAdory	Rogers (Elmore)	Webb
Goode	Matthews	Rogers (Mobile)	Weldon
Goodwyn	Merrill	Sanders (Conecuh)	

—63

Nay:—Mr. Cannon—1.

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

Gentlemen: I return herewith to the House of Representatives, the body in which it originated, House Bill No. 421, without my approval. I suggest the following Executive amendments, which if concurred in by the Legislature will remove my objections to the bill:

Amend the title thereto by adding therein after the words and figures "and 12" the following "and add Section 12 1-2 thereto".

Further amend said Act by adding thereto the following section:

"Section 12 1-2. Each freight agent of the railroad companies operating in the State of Alabama shall report to the State Tax Commission on the first day of October, January, April and July of each year all shipments of gasoline and lubricating oils or substitutes therefor received at said station on said railroads during the preceding three months, giving the name and address of the consignor and consignee, shipping and receiving said gasoline or lubricating oils or substitutes therefor and the number of gallons or pounds contained in each and every shipment."

Respectfully,
Bibb Graves,
Governor.

On motion of Mr. Poole the House concurred in and adopted the amendment proposed by the Governor to the bill, H. 421, said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 68; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Matthews	Rogers (Elmore)
Adcock	Goode	Merrill	Sanders (Pike)
Allen	Graves	Miller (Marengo)	Sanderson
Anderson	Grove	Miller (Sumter)	Shepherd
Ashcraft	Gullatt	Molette	Shivers
Baldwin	Hampton	Morrow	Simpson
Bartlett	Harwood	Moxley	Smith
Brunson	Hawkins	Mullen	Stewart (Calhoun)
Bryant	Hightower	Nipper	Thompson
Burleson	Hollis	Norman	Tompkins
Burns	Howard	Owens	Vickers
Byars	Hughes	Parish	Waddell
Christian	Jones (Cleburne)	Pitts	Wallace
Cook	Jordan (Washington)	Poole	Ward (Tuscaloosa)
Darden	Lee	Reeder	Ware
Denson	Lovelace	Ringer	Weldon
Desear	McAdory	Rivers	Winn

—68

Which was a majority of the whole number elected to the House.

And said bill,

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11, and 12, of an act entitled, "An act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or as-

sociations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this Act, approved Feb. 10, 1923.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 71; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Molette	Shepherd
Adcock	Green	Morrow	Shivers
Allen	Grove	Moxley	Simpson
Anderson	Gullatt	Mullen	Smith
Ashcraft	Hightower	Norman	Starnes
Baldwin	Hollis	Parish	Stephens
Bartlett	Hubbard	Pegues	Stewart (Bibb)
Brunson	Johnson	Pitts	Thompson
Bryant	Jones (Cleburne)	Poole	Tompkins
Burleson	Jordan (Washington)	Quillin	Vickers
Burns	Kirkpatrick	Reeder	Waddell
Byars	Lawler	Ringer	Wallace
Carter	Lovelace	Rivers	Ward (Tuscaloosa)
Cook	McAdory	Rogers (Elmore)	Ware
Darden	Matthews	St. John	Webb
Denson	Merrill	Sanders (Concuh)	Weldon
Desear	Miller (Marengo)	Sanders (Pike)	Winn
Frey	Miller (Sumter)	Sanderson	

—71

Which was a majority of the whole number elected to the House.

BILL ON THIRD READING

H. 834. To amend Sec. 250 of "An Act to provide for the general revenue of the State of Alabama," approved Sept. 15th, 1919.

Was read a third time at length and passed.

Yeas, 35; Nays, 29.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Lovelace	Rogers (Mobile)
Adcock	Grove	Luck	Sanders (Pike)
Allen	Guy	Miller (Marengo)	Shivers
Bryant	Hawkins	Molette	Simpson
Burleson	Hightower	Morrow	Thompson
Darden	Hollis	Norman	Vickers
Desear	Hubbard	Pegues	Waddell
Fite	Johnson	Powell	Ward (Tuscaloosa)
Goode	Kirkpatrick	Rogers (Elmore)	

—35

Nays:

Messrs:

Anderson	Frey	Mullen	Sanders (Conecuh)
Ashcraft	Jeter	Nipper	Stephens
Bartlett	Jones (Cleburne)	Owens	Stewart (Bibb)
Cannon	Jordan (Washington)	Parish	Tompkins
Carter	McAdory	Reeder	Tunstall
Christian	Matthews	Ringer	Ware
Cook	Moxley	Rivers	Webb
Deloney			

—29

On motion of Mr. Simpson the bill, H. 834, was ordered sent forthwith to the Senate without engrossment.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Waddell:

H. R. 306. Whereas, it has been brought to the attention of this House that Mr. and Mrs. C. D. Norman are the proud possessors of a daughter, their first child, whom they have named Harriet Elizabeth; and

Whereas, this House rejoices with them in their good fortune;

Now, therefore, be it resolved that the congratulations and best wishes of this House be extended to the gentleman from Bullock and his wife and our every good wish for Miss Harriet Elizabeth Norman through life.

And the resolution was adopted by a unanimous rising vote of the House.

By Rules Committee:

H. R. 307. Resolved by the House that the following bills be made special, paramount and continuing orders for 47th Legislative Day at 4:15 o'clock, p. m., and to take precedence over all other matters: H. 928; H. 929; H. 930; H. 1009; H. 1109; H. 1115 and H. 919.

Mr. Frey offered the following amendment to the resolution reported by the Standing Committee on Rules:

Amend the resolution of the Rules Committee by making House bills 1172 and 1173, relative to the libel laws of Alabama, special, paramount and continuing orders for 5:15 p. m., today superseding all other business.

The Speaker of the House ruled that it would take a four-fifths vote of the House to adopt the amendment offered by Mr. Frey.

Mr. Frey appealed to the House from the ruling of the Chair and the House refused to sustain the ruling of the Chair.

Yeas, 44; Nays, 47.

Yeas:**Messrs.:**

Mr. Speaker	Graves	Luck	St. John
Ashcraft	Green	Merrill	Sanders (Conecuh)
Christian	Grove	Moxley	Shepherd
Cook	Guy	Norman	Shivers
Darden	Hampton	Patterson	Simpson
Deloney	Harwood	Pitts	Tunstall
Denson	Hawkins	Poole	Vickers
Desear	Jones (Bullock)	Reeder	Waddell
Edmundson	Lawler	Ringer	Wallace
Goode	Lee	Rogers (Elmore)	Ward (Tuscaloosa)
Goodwyn	Lovelace	Rogers (Mobile)	Winn

—44

Nays:**Messrs.:**

Adcock	Fite	McAdory	Rivers
Allen	Frey	Matthews	Sanders (Pike)
Anderson	Golson	Miller (Marengo)	Smith
Baldwin	Hightower	Miller (Sumter)	Starnes
Bartlett	Hollis	Molette	Stephens
Brunson	Howard	Morrow	Stewart (Bibb)
Bryant	Hubbard	Mullen	Thompson
Burleson	Hughes	Nipper	Tompkins
Burns	Jeter	Owens	Ware
Byars	Jones (Cleburne)	Parish	Webb
Cannon	Jordan (Washington)	Powell	Weldon
Carter	Kirkpatrick	Quillin	

—47

And the amendment to the resolution offered by Mr. Frey was adopted.

And the resolution reported by the Standing Committee on Rules, as amended by the amendment offered by Mr. Frey, was adopted.

By Mr. Moxley:

H. R. 308. Relative to making S. 409 Special Order.

And the resolution was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE**Mr. Speaker:**

The Senate has concurred in the House amendment to the following Senate bills:

S. 342. To authorize cities which now have or which may hereafter have a population of 100,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the streets upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

S. 441. To authorize Jefferson County, Alabama, to acquire by condemnation, the whole of block twenty-one known as Woodrow Wilson Park, in the city of Birmingham, Alabama, for the erection of a courthouse and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker :

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendment to the bill:

H. 1039. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Court; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by

the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Conferees on part of the Senate, Messrs. Craft, Justice and Jack.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 554. To establish an inferior court in precinct twelve of Jefferson County, Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precinct twelve of Jefferson County, Alabama, and to define the jurisdiction and powers of said court and of the judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all justice of the peace, and notary public ex-officio justice of the peace in said precinct.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 20, nays, 0.

And said bill, H. 554, as thus amended, by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas 20, nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time

when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And said bill, H. 605, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of the majority of the whole number elected to the Senate; said vote being Yeas, 20, Nays, 0.

And returns same herewith to the House.

Mr. Speaker:

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for a violation of the provisions hereof.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 23, Nays 0.

And said bill, H. 377, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 25, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12 and add Section 12 1-2 thereto, of an Act entitled, "An Act imposing an excise tax on persons, corporations, copartner-

ships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collections and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this act, approved Feb. 10, 1923.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 18, Nays 0.

And said bill, H. 421, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1122. To adopt the code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education."

H. 805. To amend Section one of Article 11 of an Act entitled "An Act to provide a complete educational system for the State of Alabama," approved September 26, 1919.

By Mr. Denson:

H. 539. A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held at the next general election after the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is at the next general election after the final adjournment of the present

session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition, providing that this amendment shall not apply to Montgomery County, Alabama, and provided, however, that the provision of the amendment shall not apply to Mobile County.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. That at the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following: "Shall the following proposed amendment be adopted?"

H. 125. To amend Section 8274 of the Code of Alabama of 1923, relating to married women over eighteen years of age being relieved of disabilities of minority.

H. 653. To amend Section 2984, Code 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:
Gentlemen:

I return herewith to the House of Representatives, the body in which it originated, House Bill No. 341, without my approval. I suggest the following executive amendments, which, if concurred in, will render the bill free from objection:

Amend Section 1, sub-division 5 by striking therefrom the following words, "should there be a bridge already constructed at any of the points named herein, the corporation is authorized in lieu of building a bridge at that site to purchase the existing bridge, if in the opinion of the corporation and the Governor it is adequate to meet the public needs, and if it can be purchased at a cost approved by the corporation and the Governor."

Further amend the bill by striking therefrom all of sub-division (6) of Section 1 and substituting in lieu thereof the following:

"The interest on said bonds may be paid out of the residue of the receipts from gasoline tax collected by the State under the Excise Gas Tax Act approved January 25, 1927, and known as the Gasoline Tax Act after there has been taken from that fund the amount necessary to meet all of

the primary purposes to which said gas tax fund is pledged under Article XXA as an amendment to the Constitution of the State, and as provided for in Section 10 of the Act approved January 25, 1927; or the interest may be paid out of the net receipts from the Convict Department as authorized by amendment to Section 93 of the Constitution, declared by Proclamation on November 17, 1908; or the interest may be paid out of any funds in the Treasury as authorized by the amendment to Section 93 of the Constitution, as set out above. Such an amount of money as may be necessary to pay the interest herein provided for is hereby appropriated out of any monies in said funds not otherwise appropriated. The payments herein provided for shall be made on the requisition of the corporation, approved by the Governor, and by warrants drawn by the State Auditor upon the State Treasurer, designating the fund out of which said interest may be paid."

Respectfully,
Bibb Graves,
Governor.

On motion of Mr. Long, the House concurred in and adopted the amendment proposed by the Governor to the bill, H. 341, said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 71; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Kirkpatrick	Rivers
Adcock	Fite	Lawler	Rogers (Elmore)
Anderson	Frey	Lee	Rogers (Mobile)
Ashcraft	Golson	Lovelace	Sanders (Conecuh)
Baldwin	Goode	Luck	Sanders (Pike)
Beebe	Goodwyn	McAdory	Sanderson
Burleson	Graves	Merrill	Shepherd
Bryant	Gullatt	Miller (Sumter)	Simpson
Burleson	Hampton	Molette	Starnes
Burns	Harwood	Mullen	Stephens
Byars	Hightower	Owens	Stewart (Calhoun)
Carter	Hollis	Parish	Thompson
Christian	Howard	Patterson	Vickers
Cook	Hubbard	Pegues	Waddell
Darden	Jeter	Pitts	Ward (Tuscaloosa)
Deloney	Johnson	Poole	Ware
Denson	Jones (Clebume)	Reeder	Weldon
Desear	Jordan (Washington)	Ringer	

—71

Nay:—Mr. Tompkins.—1.

Which was a majority of the whole number elected to the House, and said bill,

H. 341. To provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its

powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 71; Nays, 3.

Yeas:

Messrs.:

Mr. Speaker	Frey	Luck	Rogers (Elmore)
Adcock	Golson	McAdory	Rogers (Mobile)
Anderson	Goode	Merrill	Sanders (Conecuh)
Ashcraft	Goodwyn	Miller (Marengo)	Sanders (Pike)
Baldwin	Grove	Miller (Sumter)	Sanderson
Bartlett	Harwood	Molette	Shepherd
Beebe	Hawkins	Mullen	Simpson
Brunson	Hightower	Nipper	Smith
Bryant	Hollis	Norman	Starnes
Burleson	Howard	Owens	Stephens
Burns	Hubbard	Parish	Stewart (Calhoun)
Byars	Hughes	Patterson	Thompson
Cook	Jeter	Pegues	Vickers
Darden	Johnson	Pitts	Waddell
Denson	Jones (Cleburne)	Poole	Ward (Tuscaloosa)
Desear	Kirkpatrick	Reeder	Weldon
Edmundson	Lee	Ringer	Winn
Fite	Lovelace	Rivers	—71

Nays:

Messrs.:

Cannon	Tompkins	Ware	—3
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Which was a majority of the whole number elected to the House.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 11:40 A. M., on Aug. 23, 1927:

H. 318.

H. 857.

H. 694.

H. 497.

H. 391.

H. 6.
H. 120.
H. 948.
H. 949.
H. 975.
H. 1058.
H. 54.
H. 646.
H. 1001.
H. 1064.
H. 1062.
H. 620.
H. 1063.
H. 986.
H. 984.
H. 879.
H. 989.
H. 852.
H. 841.
H. 343.
H. 836.
H. 1042.
H. 1045.
H. 481.
H. 748.
H. 859.
H. 673.
H. 962.
H. 935.
H. 33.
H. 1006.
H. 702.
H. 922.
H. 923.
H. J. R. 163.

J. H. Stewart,
Clerk.

SPECIAL ORDER

The hour having arrived the House proceeded to the consideration of the bill,

H. 1172. To give a right of action for libel to the State of Alabama, and to all cities, towns and counties thereof, against newspapers published or circulated therein; to provide who shall prosecute such actions; the venue thereof; the amount of damages recoverable; to fix a limitation upon such action, and to repeal all laws or parts of law in conflict herewith.

Was taken up.

Mr. Frey offered the following substitute for the bill, H. 1172:

Substitute for H. 1172:

A BILL

To be entitled An Act imposing liability for and relating to the publication or circulation of false, unfair, misleading or garbled information, and to actions at law therefor.

Section 1. That the publication or circulation of any false, or misleading or unfair article, story, or report in which any person in this State is directly or indirectly mentioned or referred to, is declared to be prejudicial to the public welfare and actionable.

Section 2. That the publication or circulation of any false or misleading or unfair report or account of, or story, or article about any meeting or proceeding open to the public in this State, is declared to be prejudicial to the public welfare and actionable.

Section 3. That the publication or circulation of any false or misleading or unfair or garbled account or report of any public speech or public address delivered by any person in this State, is declared to be prejudicial to the public welfare and actionable.

Section 4. Any person in this State that is directly or indirectly mentioned or referred to in any false or misleading or unfair article, story, or report published or circulated in this State shall have a right of action against any and all persons concerned in any way in the publication or circulation of the same, and shall recover such damages as the court or jury trying the case may assess.

Section 6. Any person who makes or delivers any public speech or public address in this State, shall have a right of action against any and all persons who are in any wise concerned in the publication or circulation of any false or misleading or unfair or garbled account or report of such speech or address.

Section 7. The word person as used herein includes firms, association, corporation and organization wherever such terms are applicable.

Section 8. This Act shall be liberally construed in favor of the rights of action created herein and to suppress the evil aimed at, viz.: The publication or circulation of any false, misleading, unfair or garbled printed information, without regard to the same being libelous or actionable independent of this statute, which is an exercise of the public power of the State of Alabama.

Section 9. Any action for damages authorized by or brought pursuant to the provisions of this Act may be maintained in any county in the State in which the matter complained of was published, and the complaint may be in substantially the following form, which is declared to be sufficient:

UNDER SECTION 1

Plaintiff claims of the defendant.....dollars damages, for that on to-wit: the.....day of....., 19....., the defendant published or circulated, or was concerned in the publication or circulation of an article, story or report, which was false, misleading or unfair, and in which plaintiff was directly or indirectly mentioned or referred to, which said article, story or report was circulated in.....County, Alabama, and was in words and figures as follows:

(Here set out Article.)

And as a proximate consequence plaintiff sustained actual damage, and plaintiff claims punitive damages.

UNDER SECTION 2

Plaintiff claims of the defendant.....dollars, damages, for that on to-wit: the.....day of....., 19....., plaintiff participated in a meeting or proceeding, which was open to the public, held at....., Alabama, and following said meeting, the defendant published or circulated, or was concerned in the publication or circulation of a report or account of, or a story or article about said meeting, which was false or unfair or misleading, and which was circulated in.....County, Alabama, and was in words and figures as follows:

(Here set out report or story.)

And as a proximate consequence plaintiff sustained actual damage, and plaintiff claims punitive damages.

UNDER SECTION 3

Plaintiff claims of the defendant.....dollars, damages, for that on to-wit: the.....day of....., 19....., plaintiff delivered a public speech or public address at....., Alabama, and following said speech or address, defendant published or circulated, or was concerned in the publication or circulation of an account or report of said speech, which was false or misleading, or unfair or garbled, and which report or account was circulated in.....County, Alabama, and was in words and figures as follows:

(Here set out the report or account.)

And as a proximate consequence plaintiff sustained actual damage, and plaintiff claims punitive damages.

Section 10. All actions authorized by this Act must be filed within two years after the matter complained of was circulated or be forever barred.

Section 11. In all actions brought pursuant to the terms of this Act, the court shall instruct the jury that if the jury is rea-

sonably satisfied by the evidence in the case that the publication complained of was false, or misleading, or unfair, or garbled, that then the law prima facie presumes that the plaintiff sustained actual damage, such as mental anguish, annoyance, humiliation, and embarrassment; and that the jury is authorized to award such sum as it believes to be reasonable and proper for such injury and damage, and in addition thereto, such additional sum as it may see fit to impose on the defendant as a punishment for the wrong done the plaintiff individually, and society in general.

Section 1. This Act shall be known as and may be cited in all the courts of this State as the "TRUTH IN NEWS ACT". It shall take effect on its approval by the Governor, and should any paragraph or provision thereof be declared unconstitutional, such holding shall not affect any other paragraph or provision not in itself unconstitutional, and all laws and parts of laws in conflict herewith, including laws relating to or providing for a demand for a retraction, which is unnecessary under this Act, are hereby expressly repealed.

Mr. Ashcraft offered the following amendment to the substitute for the bill, H. 1172:

Amend substitute for H. 1172 by adding: "Likewise, all persons who speak in public shall be required to speak the truth without garbling or color and shall in all respects be amenable to the terms of this Act, and be subject to the punishment provided and shall be tried in the same manner as is herein provided for newspapers and journals.

And the amendment offered by Mr. Ashcraft to the substitute for the bill H. 1172 was lost.

Yeas, 30; Nays, 59.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Norman	Shepherd
Ashcraft	Graves	Patterson	Shivers
Carter	Green	Pitts	Simpson
Cook	Guy	Poole	Stephens
Darden	Hawkins	Reeder	Stewart (Bibb)
Deloney	Jeter	Ringer	Vickers
Desear	Lawler	Sanders (Conecuh)	Winn
Edmundson	Morrow		

—30

Nays:

Messrs:

Adcock	Bryant	Frey	Howard
Allen	Burleson	Goode	Hubbard
Anderson	Burns	Grove	Hughes
Baldwin	Byars	Gullatt	Johnson
Bartlett	Cannon	Harwood	Jones (Cleburne)
Beebe	Denson	Hightower	Jordan (Washington)
Brunson	Fite	Hollis	Kirkpatrick

Lee	Molette	Quillin	Thompson
Lovelace	Moxley	Rivers	Tompkins
Luck	Mullen	Rogers (Elmore)	Waddell
McAdory	Nipper	Rogers (Mobile)	Ward (Tuscaloosa)
Matthews	Owens	Sanders (Pike)	Ware
Merrill	Parish	Smith	Webb
Miller (Marengo)	Pegues	Starnes	Weldon
Miller (Sumter)	Powell	Stewart (Calhoun)	

—59

Mr. Simpson offered the following amendment to the substitute for the bill, H. 1172:

Amend substitute for H. 1172 by adding thereto the following additional paragraph:

Provided that the provisions hereof shall not apply to acts, statements, conduct and speeches of officers of the State of Alabama, any county, municipality or other political subdivision thereof, or the acts, statements, conduct and speeches of any person made or done while such officer is seeking election to such office.

And the amendment offered by Mr. Simpson to the substitute was lost.

Yeas, 42; Nays, 52.

Yeas:

Messrs.:

Mr. Speaker	Goode	Lovelace	Rogers (Mobile)
Ashcraft	Goodwyn	Merrill	Sanders (Conecuh)
Beebe	Graves	Morrow	Sanderson
Carter	Green	Moxley	Shepherd
Christian	Grove	Norman	Shivers
Cook	Guy	Patterson	Simpson
Darden	Hampton	Pitts	Stephens
Deloney	Harwood	Poole	Vickers
Denson	Hawkins	Reeder	Wallace
Desear	Lawler	Ringer	Winn
Edmundson	Lee		

—42

Nays:

Messrs.:

Adcock	Gullatt	McAdory	Rogers (Elmore)
Allen	Hightower	Matthews	Sanders (Pike)
Anderson	Hollis	Miller (Marengo)	Smith
Baldwin	Howard	Miller (Sumter)	Starnes
Bartlett	Hubbard	Molette	Stewart (Bibb)
Brunson	Hughes	Mullen	Stewart (Calhoun)
Bryant	Jeter	Nipper	Thompson
Burleson	Johnson	Owens	Tompkins
Burns	Jones (Bullock)	Parish	Waddell
Byars	Jones (Cleburne)	Pegues	Ward (Tuscaloosa)
Cannon	Jordan (Washington)	Powell	Ware
Fite	Kirkpatrick	Quillin	Webb
Frey	Luck	Rivers	Weldon

—52

Mr. Simpson offered the following amendment to the substitute for the bill, H. 1172:

Amend substitute for H. 1172 by adding the following additional paragraph:

Provided that the provisions of this Act shall apply only to editorials.

And the amendment offered by Mr. Simpson to the substitute was lost.

Yeas, 45; Nays, 48.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Matthews	Rogers (Mobile)
Ashcraft	Graves	Merrill	Sanders (Conecuh)
Beebe	Green	Morrow	Sanderson
Carter	Grove	Moxley	Shepherd
Christian	Guy	Norman	Shivers
Cook	Hampton	Patterson	Simpson
Darden	Harwood	Pitts	Stephens
Deloney	Hawkins	Poole	Tunstall
Denson	Lawler	Reeder	Vickers
Desear	Lee	Ringer	Wallace
Edmundson	Lovelace	Rogers (Elmore)	Winn
Goode			

—45

Nays:

Messrs.:

Adcock	Frey	Luck	Rivers
Allen	Gullatt	McAdory	Smith
Anderson	Hightower	Miller (Marengo)	Starnes
Baldwin	Hollis	Miller (Sumter)	Stewart (Bibb)
Bartlett	Howard	Molette	Stewart (Calhoun)
Brunson	Hubbard	Mullen	Thompson
Bryant	Jeter	Nipper	Tompkins
Burleson	Johnson	Owens	Waddell
Burns	Jones (Bullock)	Parish	Ward (Tuscaloosa)
Byars	Jones (Cleburne)	Pegues	Ware
Cannon	Jordan (Washington)	Powell	Webb
Fite	Kirkpatrick	Quillin	Weldon

—48

And the substitute offered by Mr. Frey to the bill H. 1172 was lost.

Yeas, 48; Nays, 48.

Yeas:

Messrs.:

Adcock	Burns	Howard	Kirkpatrick
Allen	Cannon	Hubbard	McAdory
Anderson	Fite	Hughes	Miller (Marengo)
Baldwin	Frey	Jeter	Miller (Sumter)
Bartlett	Golson	Johnson	Molette
Brunson	Gullatt	Jones (Bullock)	Mullen
Bryant	Hightower	Jones (Cleburne)	Nipper
Burleson	Hollis	Jordan (Washington)	Owens

Parish	Rivers	Stewart (Calhoun)	Ward (Tuscaloosa)
Pegues	Smith	Thompson	Ware
Powell	Starnes	Tompkins	Webb
Quillin	Stewart (Bibb)	Tunstall	Weldon

—48

*Nays:**Messrs:*

Mr. Speaker	Goode	Luck	Rogers (Mobile)
Ashcraft	Goodwyn	Matthews	Sanders (Concuah)
Beebe	Graves	Merrill	Sanders (Pike)
Byars	Green	Morrow	Sanderson
Carter	Grove	Moxley	Shepherd
Christian	Guy	Norman	Shivers
Cook	Hampton	Patterson	Simpson
Darden	Harwood	Pitts	Stephens
Deloney	Hawkins	Poole	Vickers
Denson	Lawler	Reeder	Waddell
Desear	Lee	Ringer	Wallace
Edmundson	Lovelace	Rogers (Elmore)	Winn

—48

ADJOURNMENT

Pending the consideration of H. 1172, the House, on motion of Mr. Poole, in accordance with a Senate Joint Resolution heretofore adopted, adjourned until Thursday, August 25th, 1927 at 9:30 o'clock A. M.

FORTY-EIGHTH DAY

House of Representatives,
Montgomery, Alabama.
Thursday, August 25, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

<i>Messrs:</i>			
Mr. Speaker	Baldwin	Burleson	Christian
Adcock	Bartlett	Burns	Cockrell
Allen	Beebe	Byars	Cook
Anderson	Brunson	Cannon	Darden
Ashcraft	Bryant	Carter	Deloney

Denson	Hughes	Moxley	Sanderson
Desear	Jeter	Mullen	Shepherd
Edmundson	Johnson	Nipper	Shivers
Fite	Jones (Bullock)	Norman	Simpson
Frey	Jones (Cleburne)	Owens	Smith
Golson	Jordan (Washington)	Parish	Starnes
Goode	Kirkpatrick	Patterson	Stephens
Goodwyn	Langdon	Pegues	Stewart (Bibb)
Graves	Lawler	Pitts	Stewart (Calhoun)
Green	Lee	Poole	Thompson
Grove	Lovelace	Powell	Tompkins
Gullatt	Luck	Quillin	Tunstall
Guy	McAdory	Rankin	Vickers
Hampton	Martin	Reeder	Waddell
Harwood	Matthews	Ringer	Wallace
Hawkins	Merrill	Rivers	Ward (Geneva)
Hightower	Miller (Marengo)	Rogers (Elmore)	Ward (Tuscaloosa)
Hollis	Miller (Sumter)	Rogers (Mobile)	Ware
Howard	Molette	St. John	Webb
Howell	Monk	Sanders (Conecuh)	Weldon
Hubbard	Morrow	Sanders (Pike)	Winn

—104

A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 47th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 47th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Edwards and Jordan of Etowah for today.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 88. To appropriate Two Hundred and Fifty-five Thousand (\$255,000.00) Dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

Also:

H. 705. To amend Sections 9384, 9386, 9394 and 9396, and to repeal Sections 9392 and 9393 of the Code of Alabama, 1923, relating to limited partnerships.

Also:

H. 625. To provide detention homes for juvenile delinquents, in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof.

Also:

H. 1043. To authorize cities having a population of not less than sixty thousand and not more than one hundred and fifty thousand inhabitants, according to the last or any subsequent Federal census, to fix and collect licenses for business done within the police jurisdiction of such city but outside of the corporate limits thereof.

Also:

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the board of

Trustees of the Alabama Polytechnic Institute to accept such donations.

Also:

H. 382. To amend Section 5526 of the Criminal Code of Alabama.

Also:

H. 835. To provide for the Compensation of the County Solicitor of Bullock County, Alabama, and to regulate the manner of payment.

Also:

H. 904. To establish the office of road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment.

Also:

H. 374. To provide and submit to the qualified electors of the State of Alabama, at the next general election, an amendment to the Constitution of Alabama, whereby the following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Fort Payne, Luverne, Franklin, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, Guin, Sylacauga, Millport, and Sulligent, Ozark, Ariton, Midland City, Demopolis, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at the next general election, to-wit: "The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsedale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Franklin, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, Guin, Sylacauga, Millport, and Sulligent, Ozark, Ariton, Midland City, Demopolis, through their

respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for."

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight successive weeks next preceding the day hereby appointed for such election on the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration together with the proposed amendment.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided, the qualified voters shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz, "Shall the following be adopted as an amendment to the Constitution of Alabama: 'The following municipal corporations, to-wit: Winfield, Marion, Bay Minette, Robertsdale, Foley, Prattville, York, Jackson, Collinsville, Ft. Payne, Luverne, Franklin, Glenwood, Red Bay, Tarrant City, Dadeville, Thomasville, Northport, Hartselle, Haleyville, Talladega, Daphne, Oneonta, Cullman, Leeds, Eutaw, Guin, Sylacauga, Millport, and Sulligent, Ozark, Ariton, Midland City, Demopolis, through their respective constituted governing authorities, may levy and collect a rate of taxation in any one year on the property situated therein, not exceeding one per centum of the value of such property as assessed for State taxation during the preceding year; provided that the adoption of this amendment shall in nowise affect, limit, modify, abridge or impair the power, authority or right of any of said municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon them under the Constitution or any amendment thereto, which said special school taxes shall be in excess of said one per centum herein provided for.' " Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the electors shall be indicated by a cross mark by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the constitutional provision concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

Also:

H. 776. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

H. 377. To define, regulate, and license real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for a violation of the provisions hereof.

Also:

H. 605. To further provide for the construction and maintenance of public roads and bridges in Lawrence County, Alabama, by providing a road tax in lieu of work, prescribing the time when such tax shall become due, providing for its collection, and expenditure, prohibiting its expenditure prior to the year for which it was collected, by providing for abolishing the office of road apportioners, by further prescribing the duties of the board of revenue, by providing for the making of road districts, their description and a permanent record thereof, by providing for the appointment of overseers, prescribing their duties, fixing their remuneration and bond, and by providing penalties for violation of this or other road laws in force and to repeal all general and local laws in conflict therewith in so far as they relate to said Lawrence County.

Also:

H. 554. To establish an Inferior Court in precinct Twelve of Jefferson County Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all Jus-

tices of the Peace and Notaries public, with powers of Justice of the Peace in said precinct Twelve of Jefferson County Alabama, and to define the jurisdiction and powers of said court and of the Judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all Justice of the Peace and Notary public Ex-officio Justice of the Peace in said precinct.

Also:

H. 421. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12, and add Section 121½ thereto, of an Act entitled, "An Act imposing an excise tax on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, or distributing gasoline or other liquid motor fuels in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing the penalties for the violation of any of the provisions of this Act, approved Feb. 10, 1923.

Also:

H. 653. To amend Section 2984, Code 1923.

Also:

H. 125. To amend Section 8274 of the Code of Alabama of 1923, relating to married women over eighteen years of age being relieved of disabilities of minority.

Also:

H. 805. To amend Section one of Article 11 of an Act entitled "An Act to provide a complete educational system for the State of Alabama," approved September 26, 1919.

Also:

H. 1122. To adopt the Code of laws relating to education, prepared in accordance with the provisions of the Act approved August 11, 1927, entitled "An Act to provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education."

Also:

H. 539. A Bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness

is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Be it enacted by the Legislature of Alabama: .

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Providing that this amendment shall not apply to Montgomery County, Alabama.

Provided, however that the provisions of this amendment shall not apply to Mobile County.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

And finds same correctly enrolled.

R. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTIONS

The following Resolutions were introduced:

By Mr. Hawkins:

H. R. 309. Relative to making Senate Bills 550 and 551 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Fite:

H. R. 310. Relative to making Senate Bills 427; 193; 410 and 426 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Burleson:

H. R. 311. Relative to making S. 320 Special Order.

And the Resolution was referred to the Standing Committee on Rules.

By Mr. Jeter:

H. R. 312. Whereas our beloved colleague, B. de G. Waddell veteran law maker and champion of the people, has weathered the slings and arrows of cruel fate through sixty-two (62) years of virtue and humility, and

Whereas, the happiness, welfare, progress, prosperity, wealth and sobriety depends upon the fearless leadership of our fearless statesman.

Be It Resolved that we do express our felicity upon his good health in this advanced state of life and wish for him many more years of health and sport.

And the Resolution was adopted by a unanimous rising vote of the House.

By Mr. Jones of Cleburne:

H. R. 313. Whereas, the Hon. Joe Cockrell is now "proud papa" instead of "sweet papa" and

Whereas, Clay County was made more attractive by the arrival of Miss Miriam Cockrell yesterday; and

Whereas, Representative Cockrell is so swelled with pride that he has "busted" off his last button that held his famous suspenders.

Now, Therefore, be it resolved that the House of Representatives congratulate papa Cockrell, welcome Miss Miriam to Alabama and adopt House Bill 999, under which rule the Gentleman from Clay be given carte blanche to "strut his stuff" on the floor of the House without suspenders and that he be extended the further privilege of singing "Baby Mine" at such intervals as the gentleman from Houston is not speaking.

And the resolution was adopted by a rising vote of the House.

By Mr. Simpson:

H. R. 314. Relative to making Senate Bills 175; 415; 506; 112 and 128 Special Orders.

And the Resolution was referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Ward, of Tuscaloosa, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 513. To amend Section 3005 Code of Alabama 1923.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 541. To provide for the employment of legal services upon contest of the validity of last will and testaments; to fix the fee or remuneration for such services and to make the same a charge against the estate of decedents.

S. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes other than for schools owned or controlled by any religious sect or denomination.

S. 560. To authorize and provide for the issuance and sale of State Bonds for the purpose of constructing and improving public schools and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

By Mr. Ellis of Shelby (with amendment):

S. 555. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000,000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and the improvement of permanent public school buildings; to provide for the apportionment and ex-

penditure of the proceeds of such part of a State Bond Issue allocated to the institutions of higher learning, including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said County.

S. 336. To authorize and empower the city of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said City and State.

S. 335. To reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

S. 573. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

S. 575. To authorize Dallas County or the City of Selma to remit taxes which may be assessed by such County or City, for County or Municipal purposes, against any manufacturing enterprise now or hereafter located in such County, or Municipality, for a period of not exceeding ten years.

H. 1118. To fix the compensation of the County Treasurer of all counties having a population of more than two hundred thousand according to the last or any subsequent Federal census.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILLS REPORTED ADVERSELY

Mr. Simpson, Chairman of the Standing Committee on Judiciary returned to the House the following Bills with an Adverse Report:

S. 251.

H. 1179.

The above and foregoing bills were read a second time and placed on the Adverse Calendar.

BILL TAKEN FROM ADVERSE CALENDAR

Mr. Denson called up his motion to take the Bill S. 69 from the Adverse calendar. And the motion of Mr. Denson to take the Bill S. 69 from the Adverse Calendar prevailed.

Yeas, 68; Nays, 6.

Yeas:

Messrs.:

Adcock	Goodwyn	Miller (Marengo)	St. John
Allen	Green	Miller (Sumter)	Sanderson
Anderson	Grove	Molette	Shepherd
Ashcraft	Hawkins	Morrow	Shivers
Baldwin	Hollis	Mullen	Simpson
Bartlett	Howell	Nipper	Smith
Bryant	Jeter	Owens	Starnes
Burleson	Johnson	Parish	Stephens
Burns	Jones (Cleburne)	Patterson	Stewart (Calhoun)
Christian	Kirkpatrick	Pegues	Thompson
Cockrell	Lawler	Pitts	Waddell
Cook	Lee	Powell	Wallace
Darden	Lovelace	Quillin	Ward (Geneva)
Denson	Luck	Ringer	Ward (Tuscaloosa)
Edmundson	McAdory	Rivers	Ware
Frey	Martin	Rogers (Elmore)	Webb
Goode	Merrill	Rogers (Mobile)	Winn

—68

Nays:

Messrs.:

Mr. Speaker	Fite	Stewart (Bibb)	Weldon
Cannon	Hightower		

—6

And said Bill:

S. 69. To amend sections 10332 and 10333 of the Code of Alabama of 1923.

Was read a second time and placed on the calendar.

Mr. Smith called up his motion to take the Bill S. 275 from the Adverse Calendar. And the motion of Mr. Smith was lost.

Yeas, 50; Nays, 42.

Yeas:

Messrs.:

Adcock	Frey	Jordan (Washington)	Rogers (Elmore)
Anderson	Golson	Kirkpatrick	Smith
Ashcraft	Graves	Lee	Starnes
Bartlett	Grove	McAdory	Stewart (Bibb)
Beebe	Hawkins	Matthews	Stewart (Calhoun)
Bryant	Hightower	Miller (Sumter)	Thompson
Burleson	Hollis	Mullen	Tompkins
Burns	Howard	Nipper	Tunstall
Cannon	Hubbard	Pegues	Ward (Tuscaloosa)
Christian	Hughes	Powell	Ware
Cockrell	Jeter	Quillin	Webb
Darden	Johnson	Rivers	Weldon
Fite	Jones (Cleburne)		

—50

Nays:

Messrs.:

Mr. Speaker	Carter	Denson	Goode
Allen	Cook	Desear	Goodwyn
Baldwin	Deloney	Edmundson	Green

Gullatt	Miller (Marengo)	Rankin	Simpson
Guy	Molette	Ringer	Stephens
Hampton	Morrow	Rogers (Mobile)	Vickers
Howell	Moxley	St. John	Waddell
Lawler	Cwens	Sanders (Conecuh)	Wallace
Lovellace	Parish	Sanderson	Ward (Geneva)
Luck	Patterson	Shivers	Winn
Martin	Pitts		

—42

Mr. Anderson called up his motion to take the Bill S. 456 from the Adverse Calendar and the motion of Mr. Anderson was lost.

Yeas, 51; Nays, 28.

Yeas:

Messrs:			
Adcock	Gullatt	Patterson	Starnes
Anderson	Guy	Pegues	Stephens
Bartlett	Hawkins	Pitts	Stewart (Bibb)
Beebe	Hollis	Powell	Stewart (Calhoun)
Bryant	Johnson	Quillin	Thompson
Burleson	Jones (Cleburne)	Reeder	Tompkins
Christian	Jordan (Washington)	Ringer	Vickers
Cook	Lawler	Rivers	Wallace
Darden	Lee	Rogers (Elmore)	Ward (Geneva)
Deloney	Lovellace	Rogers (Mobile)	Ward (Tuscaloosa)
Frey	McAdory	Sanders (Pike)	Ware
Golson	Mullen	Sanderson	Weldon
Grove	Nipper	Smith	

—51

Nays:

Messrs:			
Allen	Edmundson	Howell	Parish
Ashcraft	Fite	Kirkpatrick	Sanders (Conecuh)
Burns	Goode	Luck	Shepherd
Cannon	Goodwyn	Martin	Shivers
Cockrell	Graves	Matthews	Simpson
Denson	Green	Miller (Marengo)	Waddell
Desear	Hightower	Molette	Winn

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following resolution:

By Mr. Fite:

S. J. R. 99. Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet on Tuesday, August 30th, 1927.

Resolved further that no member shall be entitled to mileage. And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 99 was on motion of Mr. Tunstall concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following bills and ordered same sent forthwith to the House without engrossment:
By Mr. Stanley:

S. 590. To admit to the Soldiers' Home at Mountain Creek certain indigent female relatives of Confederate veterans.

By Mr. Nixon with Notice and Proof:

S. 598. To provide for the election of a County Superintendent of Education for Calhoun County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for the election of his successor in office.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at the present session thereof, as follows:

A Bill to be entitled an Act to provide for the election of a County Superintendent of Education for Calhoun County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for the election of his successor in office.

Be it enacted by the Legislature of Alabama:

Section 1. That a County Superintendent of Education for Calhoun County, Alabama, shall be elected by the qualified electors of Calhoun County, Alabama, at the next general election who shall hold office until his successor is elected and qualified as hereinafter provided.

Section 2. That at the next general election to be held in said County and State a County Superintendent of Education for Calhoun County, Alabama, shall be elected, who shall hold office for a term of four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years thereafter a County Superintendent of Education for Calhoun County, Alabama, shall be elected by the qualified voters of said County at the regular general election, nominations for which office may be made in primary elections as other county officers.

Section 3. That the salary of the said County Superintendent of Education shall be fixed by the County Board of Education of said County at not less than two thousand (\$2000) dollars per annum nor more than three thousand (\$3000), which salary shall be paid in the same way and manner as now provided under the general laws of the State for the payment of salaries of county superintendents in the several counties.

Section 4. That said County Superintendent of Education shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State in the conduct of the

office of County Superintendent of Education. No person shall be eligible for political party nomination or for election to the office of County Superintendent of said County who does not as now required hold an Alabama certificate in Administration and Supervision based as a minimum upon graduation from a standard normal school or equivalent education with at least one year of additional study of college grade and proof of three years of successful teaching experience; provided that, if no person meeting these requirements qualified for nomination and election as provided in this act, the County Board of Education shall appoint a County Superintendent of Education as provided by the general law regulating the appointment of superintendents.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the County Board of Education, and the person so appointed shall hold office until the next general election thereafter, when his successor shall be elected; that should any County Superintendent be removed for cause by the County Board of Education of Calhoun County, such vacancy shall be filled by election by the County Board of Education of Calhoun County and said newly elected County Superintendent of Education shall hold office as in the case provided by appointment of the County Board of Education. Provided, that the County Board of Education may remove the County Superintendent of Education for immorality, misconduct in office, incompetency, wilful neglect of duty, or when, the best interests of the schools require it; any of which causes must be alleged and proved, and the County Superintendent of Education shall have the right to be heard in his defense as in cases of impeachment against County officials and all such hearings shall be before the County Board of Education, shall be conducted as in cases provided under the general laws for the impeachment of County officers, and provided that upon such removal for cause any County Superintendent may appeal to the Court and have a trial by jury.

Section 6. That the duties and powers prescribed by the general laws of Alabama for the office of County Superintendents in the supervision of the schools of the several counties shall apply to and be incumbent upon the County Superintendent elected or appointed under the provisions of this act, and before entering upon the duties of said office he must take the oath of office prescribed by the Constitution, and give bond in an amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties of this office, and upon the accounting and paying over to the proper authority all moneys coming into his hands.

Section 7. The County Superintendent elected under the provisions of this Act must on the third Monday in September of each year cause to be published in a newspaper published in Calhoun County a full and accurate statement of all money expended, such statement shall show the amount paid to each teacher and the amount expended in the conduct of each school separately in the County, if there be no newspaper published in the County then such publication shall be made by posting one copy of such statement at the County court house and one copy at two other public places in the county.

Section 8. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

STATE OF ALABAMA, County of Calhoun.

Before me, E. W. Ledbetter, Notary Public in and for said state and county, personally appeared Chas. S. Leyden, Business Manager of The Anniston Star, a daily newspaper published at Aniston in said state and county, who being duly sworn, deposes and says that the attached notice,

relative to a Notice of a Bill to be Entitled an Act to Provide for the Election of a County Superintendent of Education for Calhoun County was published in The Anniston Star in the issues of July 30th, August 6th, August 13th and August 19th, 1927.

Sworn to and subscribed before me this the 19th day of August, 1927.

Chas. S. Leyden,

E. W. Ledbetter,

Notary Public.

(Seal)

By Mr. Loflin (with Notice and Proof) :

S. 589. To divide Coffee County, Ala., into Four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners' Districts shall be elected, and to provide for and fix their time of office; to prescribe their duties and compensation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced for passage at the present session of the Legislature of Alabama, which is in substance as follows:

AN ACT

To divide Coffee County, Ala., into Four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners' Districts shall be elected, and to provide for and fix their time of office; to prescribe their duties and compensations.

Be it enacted by the Legislature of Alabama:

Section One. That Coffee County, Alabama is hereby divided into four Commissioners Districts, to be known and called Commissioners District One, Two, Three and Four. That District No. 1 shall be bounded on the South by the Township line between Township Five and Township Six, and on the East by the Range line between Range 20 and Range 21; that District No. 2 shall be boundad on the South by the Township line between Township Five and Township Six, and on the West by the Range line between Range 20 and Range 21; that District No. 3 shall be bounded on the North by the Township line between Township 5 and Township Six, and on the West by the Range line between Range 20 and Range 21; that District No. 4 shall be bounded on the North by the Township line between Township Five and Township 6, and bounded on the East by the Range line between Range 20 and Range 21; and one County Commissioner for the County of Coffee shall be elected from each of said Commissioners Districts, and not more than one Commissioner shall be elected at the State and County election from each of said Commissioners Districts.

Sec. 2. That at the general election in 1930 the qualified electors of the First and Second Commissioners Districts provided for by this act shall elect such County Commissioners for said County of Coffee from each of said First and Second Districts, and who shall be bona-

fide resident of the District from which elected and shall hold office for a period of four years and until his successor is elected and qualified. At the general election in 1928, and every four years thereafter the qualified electors of said Third and Fourth Commissioners Districts in said County shall elect one Commissioner for said Coffee County from each of the respective Third and Fourth Districts who shall be a bona-fide resident of the District from which elected, and whose term of office shall be four years from the first Monday after the second Tuesday in January next after his election, and until his successor is qualified.

Sec. 3. That a County Commissioner from each of said Districts shall be elected as provided in this Act by the qualified electors in said District, each qualified elector being entitled to vote for the Commissioner in the District only in which such elector resides.

Sec. 4. That this Act shall not affect the right and tenure of office of the present County Commissioners of Coffee County, but such commissioners shall continue to hold and discharge their duties in their said offices until their successors are elected and qualified under this Act.

Sec. 5. That the several County Commissioners of Coffee County, Alabama, in addition to the duties now imposed on them by law, shall be directly in charge of the construction and maintenance of the public roads and bridges in their respective Commissioners Districts, and shall be responsible for all such tools, road machinery and road hands and labor as made by appropriate orders of the Court of County Commissioners of said County be assigned and used in their respective Districts.

Sec. 6. That for the faithful performance of their duties under this Act, each Commissioner shall be required to give bond in the sum of \$2,000.00, to be approved by the Judge of Probate of said County of Coffee. Said bond may be made by a bonding company or by personal security. In case a bond is made by a bonding company, the county is to pay the lawful charges therefor.

Sec. 7. In case of the absence of the Probate Judge at any regular meeting of the Commissioners Court, three of the Commissioners shall constitute a quorum, one of whom may be elected chairman and secretary, whose duties shall be to put all motions and keep all records as though the Probate Judge were present.

Sec. 8. Each County Commissioner shall receive while engaged in attending on the board of County Commissioners or the duties of the office the sum of \$5.00 per day, which shall be in lieu of all compensations paid him by the County; that before receiving any compensation each Commissioner shall make out an itemized, verified account signed and sworn to before an officer of competent jurisdiction, showing the number of days of service, and no Commissioner shall receive pay for more than 150 days during any calendar year.

Sec. 9. If any section or provision of this Act shall be declared void or unconstitutional it shall not affect or destroy the validity or constitutionality of any other section or provision which is not in and of itself void or unconstitutional.

Sec. 10. That all laws or parts of laws not in conflict shall remain in full force and effect, and all laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 11. This Act shall be in full force and effect from and after it approval by the governor.

John M. Lofin,
Senator for the 25th District.

STATE OF ALABAMA,
Coffee County.

Before the undersigned, a Notary Public in and for said State and County, personally appeared J. H. Singleton, publisher of Enterprise

Ledger, a newspaper published at Enterprise, in Coffee County, who states on oath that the attached notice was published four (4) consecutive issues in said newspaper, of dates: July 29, Aug. 5, 12 and 19, 1927.

Sworn to and subscribed before me this 19th day of August, 1927.

(Seal)

J. H. Singleton,
J. L. Jeter,
Notary Public.

By Mr. Mitchell (by request) :

S. 344. To amend Section 2174 of the Code of Alabama, 1923.

By Mr. Fite:

S. 580. To provide for the apointment of bailiffs in all circuit courts in all counties of the State of Alabama having a population of 200,000, or more according to the last or any subsequent Federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

By Mr. Teasley:

S. 595. To amend Section 847 of the Code of Alabama.

Also:

By Mr. Teasley:

S. 587. To authorize governing bodies of all cities in this state having a population of not less than 35,000 inhabitants and not more than 150,000 inhabitants, according to the last or any subsequent Federal census, to exempt from municipal taxation, and to remit any taxes which may be assessed by such cities for municipal purposes against, manufacturing enterprises and manufacturing establishments of any kind, shipbuilding plants, fertilizer plants and factories and plants constructed or operated for the purpose of manufacturing any kind of manufactured products, now or hereafter located in such municipality; such exemption from municipal taxation and such remission of municipal taxes to be for periods of not longer than ten years at any one time.

By Mr. Jones:

S. 574. To strike from all acts, whether local or general creating Inferior Courts in the State of Alabama, in counties having a population of not less than 51,000 nor more than 53,000, according to the last or any subsequent Federal census, the requirement that the Judge presiding over said Court shall be learned in the law.

By Mr. Williams:

S. 224. To amend Section 6248 of the Code of Alabama, 1923.

By Mr. Bradford:

S. 549. To amend Section 3802 of the Code of Alabama.

By Mr. Teasley:

S. 561. To repeal Section 6138 of the Code of Alabama of 1923.

By Mr. Jack:

S. 413. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the State, or to any Township thereof, or to the inhabitants of any such Township.

By Mr. Teasley:

S. 539. To make an appropriation to reimburse the Department of Archives and History the sum of five hundred dollars paid out of the maintenance fund of that department in the purchase of a portrait of General Robert E. Lee.

By Mr. Jackson:

S. 515. To regulate reclassification of widows of Confederate Soldiers and Sailors, borne on the Alabama Pension Rolls.

By Mr. Fite:

S. 451. To regulate the purchase, possession or use of machine guns, riot guns, or guns of like character and to provide the penalty for the unlawful purchase, possession or use of such guns.

By Mr. Edgar:

S. 584. To authorize the Attorney General and his duly appointed assistants to summon and compel the attendance of witnesses before them, or either of them, to testify in investigations of certain civil and criminal matters which the law authorizes the Attorney General to conduct, and to prescribe the fees and mileage of such witnesses, and the fees of officers serving such subpoenas.

By Mr. Warren (With N. & P.):

S. 585. To authorize and empower the Board of Revenue of the County of Tuscaloosa to pay out of the General Treasury of said County the Salaries of two deputies of the Sheriff of Tuscaloosa County, Alabama, said salaries not to exceed the sum of One Hundred Twenty-five and no-100 (\$125.00) Dollars per month to each of the said deputies.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that application will be made to the Legislature of Alabama, at its present Session of 1927, for the enactment of a local law for Tuscaloosa County, Alabama, in substance as follows:

Section 1. Be it enacted by the Legislature of Alabama that the Board of Revenue of Tuscaloosa County, Alabama, be, and hereby is, authorized and empowered to pay out of the General Treasury of the County of Tuscaloosa the salaries of two deputies employed by the sheriff of Tuscaloosa

county, not exceeding the sum of One Hundred Twenty-five and no hundredths (\$125.00) Dollars per month to each of said deputies.

Section 2. All laws and parts of laws in conflict with the provisions of this Act be, and hereby are, repealed.

STATE OF ALABAMA,

Tuscaloosa County.

Before me, Richard C. Foster, a Notary Public in and for said County in said State, personally appeared Aaron Miller, who is known to me, and who being by me first duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice, as contained in the excerpt from said newspaper pasted to this page, of intention to apply to the Legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks.

Aaron Miller.

Sworn to and subscribed before me this the 17 day of August, 1927.

Richard C. Foster,
Notary Public.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate bills, the titles to which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

Soldiers Home: S. 590.

Local Legislation: S. 598; S. 589; S. 587; S. 585.

Municipal Organization: S. 344.

Judiciary: S. 580; S. 574; S. 224; S. 549; S. 561.

Banks and Banking: S. 595.

Forestry and Conservation: S. 413.

Appropriations: S. 539.

Pensions: S. 515.

Military: S. 451.

Revision of Laws: S. 584.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 842. A Bill to be entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to

provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools, the University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools in this State and to this end and for this purpose, the State is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of twenty million dollars to be issued in such demonstrations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two hundred thousand dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools, in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools; one mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the state, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools in this state, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools in this state, when authorized by appropriate laws passed by the legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such schools and said institutions named herein; one mill of the two and one half mills ad valorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in any wise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the state for the appointment of officers to hold elections in this state and the election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Tompkins the House concurred in and adopted the Senate amendment to the Bill H. 842. Said Senate amendment being as follows:

Amendment by Committee on Constitutional and Constitutional Revision and Amendments to House Bill 842.

Amend House Bill No. 842 as follows: By striking therefrom the words wherever they occur therein "The University of Alabama, Alabama Polytechnic Institute, Alabama College and State Normal Schools" and inserting in lieu thereof the following words "the institutions of higher learning, including the normal schools."

Yeas, 78; Nays, 0.

Yeas:

Messrs:

Adcock
Allen
Anderson
Ashcraft
Bartlett
Beebe
Bryant
Burleson
Burns
Byars
Cannon
Carter
Christian
Cockrell

Cook
Darden
Deloney
Denson
Edmundson
Fite
Frey
Goode
Goodwyn
Graves
Green
Grove
Gullatt
Hightower

Hollis
Howard
Howell
Hubbard
Jeter
Johnson
Jones (Bullock)
Jones (Clebune)
Jordan (Washington)
Kirkpatrick
Lee
Luck
McAdory
Martin

Matthews
Merrill
Miller (Marengo)
Miller (Sumter)
Molette
Mullen
Nipper
Owens
Parish
Patterson
Pegues
Pitts
Powell
Quillin

Reeder	Sanders (Conecuh)	Tunstall	Ward (Tuscaloosa)
Ringer	Smith	Vickers	Ware
Rivers	Starnes	Waddell	Webb
Rogers (Elmore)	Stephens	Wallace	Weldon
Rogers (Mobile)	Thompson	Ward (Geneva)	Winn
St. John	Tompkins		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate bill:

S. 337. To provide for the manner of selecting the county superintendents of education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

And requests a Committee of Conference; Conferees on the part of the Senate Messrs. Warren, Brown, and Nolen.

J. E. Speight,
Secretary.

SENATE MESSAGE

The House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the Bill, S. B. 337.

The Speaker named as Conferees on the part of the House: Messrs. Ward of Tuscaloosa, Harwood and Thompson.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

S. 173. To authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To the Legislature of Alabama:

Gentlemen: I herewith return to the Senate, the body in which it originated, Senate Bill No. 173, without my approval. I suggest the following executive amendments which if concurred in by the Legislature will remove my objections to the Bill.

Amend the title to the Bill by striking out the word "Sale" where it occurs therein and insert in lieu thereof the words, "leased for a period of not more than fifty (50) years."

Amend Section 1 by striking therefrom the word "purchase" where it occurs in the first line thereof and substitute in lieu thereof the words "leased for a period not to exceed fifty (50) years."

Further amend Section 1 by striking out the word "purchase" when it occurs in the Notice of Application and insert in lieu thereof the words "lease not to exceed a period of fifty (50) years."

Amend Section 3 by striking out the word "patent" wherever it occurs therein and substitute in lieu thereof the words "lease not to exceed a period of fifty (50) years."

Amend Section 5 by striking out the words, "land so granted" and substitute therefor the words "lease so granted."

Amend Section 9 by striking out the word "patent" where it occurs therein and substitute therefor the word "lease."

Respectfully,
Bibb Graves,
Governor.

And the Senate has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 20; Nays, 0.

And said bill, S. B. 173, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 20; Nays, 0.

And said bill, together with the Governor's Message containing the proposed amendment, is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers of Mobile the House nonconcurred in the Amendment proposed by His Excellency, the Governor to the Bill S. 173.

REPORT OF CONFERENCE COMMITTEE

Mr. Merrill from the Committee of Conference on the disagreement of the two Houses on the House amendment to the Bill S. 157 made the following report:

"To the Speaker of the House of Representatives:

The Committee on Conference appointed to consider Senate Bill 157 as amended beg leave to report as follows:

We recommend that the Senate concur in the House amendment to said bill and adopt said bill as amended by the House.

F. M. Nixon,
R. F. Hall,
H. M. Caffey,
Committee on part of the Senate.
Hugh D. Merrill,
John Patterson,
O. L. Stewart,
Committee on part of House.

And the report of the Committee of Conference was adopted.
Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Denson	Lee	Reeder
Adcock	Desear	Luck	Rogers (Mobile)
Allen	Edmundson	McAdory	St. John
Bartlett	Goode	Martin	Stewart (Calhoun)
Beebe	Goodwyn	Merrill	Thompson
Brunson	Graves	Molette	Tompkins
Bryant	Green	Morrow	Tunstall
Burleson	Grove	Moxley	Vickers
Burns	Gullatt	Mullen	Waddell
Byars	Guy	Nipper	Wallace
Cannon	Hollis	Parish	Ward (Geneva)
Carter	Howard	Patterson	Ward (Tuscaloosa)
Christian	Howell	Pegues	Ware
Cockrell	Hubbard	Pitts	Webb
Cook	Hughes	Quillin	Weldon
Darden	Lawler	Rankin	Winn
Deloney			

—65

And said Bill:

S. 157. To amend Section 6 of an Act entitled An Act, "To create and establish a board of revenue in and for Calhoun County, Alabama; in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors," approved September 17, 1923.

Was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Byars	Desear	Hollis
Adcock	Cannon	Edmundson	Howard
Allen	Carter	Goode	Howell
Bartlett	Christian	Goodwyn	Hubbard
Beebe	Cockrell	Graves	Hughes
Brunson	Cook	Green	Lawler
Bryant	Darden	Grove	Lee
Burleson	Deloney	Gullatt	Luck
Burns	Denson	Guy	McAdory

Martin	Patterson	St. John	Wallace
Merrill	Pegues	Stewart (Calhoun)	Ward (Geneva)
Molette	Pitts	Thompson	Ward (Tuscaloosa)
Morrow	Quillin	Tompkins	Ware
Moxley	Rankin	Tunstall	Webb
Mullen	Reeder	Vickers	Weldon
Nipper	Rogers (Mobile)	Waddell	Winn
Parish			

—65

On motion of Mr. Long (The Speaker of the House) the Clerk of the House was directed to strike from the calendar of the House all House Bills on said Calendar.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 354. To amend Section 7489 of the Code.

H. 902. To ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis Club of Anniston, Alabama, a copy of which contract is hereto attached and marked 'Exhibit A', and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis Club.

H. 1140. To amend Section 17 of an act entitled an act to provide and create a Commission form of Municipal Government and to establish same in all Cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said Commission form of government. Approved September 18, 1923.

H. 762. To amend Section 3 of an act approved September 3rd, 1919, entitled an act "To establish a Board of Revenue for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and to fix his duties and

powers; and to fix their compensation: to divide the County of Russell into five (5) Board of Revenue Districts and abolish the Court of County Commissioners and repeal all conflicting laws, general, local and special."

H. 802. To alter and re-arrange the boundary lines of the Town of Ashland, Alabama, so as to include within the corporate limits of said town the territory described in Section one of this bill.

H. 680. To provide that in Calhoun County, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

H. 987. To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

H. 1011. To provide for the fixing of the terms of office of the members of the Board of Revenue of Lawrence county, Alabama, for election of members of said Board of Revenue and for the repeal of all laws, general, local and special in conflict with the provisions of this Act.

H. 988. Empowering the clerk of the circuit court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said clerk to issue other process out of said county court such as forfeiture *sci fas*, attachment of witnesses, etc., and to provide compensation for said services.

H. 1022. To authorize the Court of County Commissioners of Covington County, Alabama to issue a warrant in favor of J. W. Livings, for the sum of \$204.42, and to provide for the payment of the same by the county treasurer.

H. 1016. To provide that all persons who have heretofore engaged in the practice of veterinary medicine in Dekalb County, Alabama for ten years be allowed to continue the practice of veterinary medicine and surgery in Dekalb County, Alabama, without procuring a license or permit from the State Board of Veterinary Medical Examiners of The State of Alabama.

H. 901. To authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyance thereof by the City authorities of said City, the proceeds of such sale to be used for City School Purposes in said City of Jacksonville, Alabama.

H. 1067. To fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

H. 994. To amend Section 5 of an Act approved August 28, 1915, and entitled "An Act to regulate and restrict the expenditures made, or contracted to be made, by each city in the State of Alabama which now has, or which may hereafter have, a population of more than one hundred thousand, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the impeachment and removal from office of each person, a member of the governing body of such city, who wilfully causes, abets or permits any unlawful expenditure to be made or contracts by such city."

H. 1059. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, the sum of Fourteen Hundred Seventy-five and no-100 (\$1475.00) Dollars, which amount was paid to W. C. Kyle, as Sheriff of Tuscaloosa County, under the provisions of the Act approved September 24, 1919, and entitled "An Act to provide for the payment of expenses for automobiles for the use of Sheriffs in the discharge of their duties as such in counties of not less than Fifty-three Thousand Four Hundred and One (53,401) nor more than Fifty-eight Thousand Five Hundred and One (58,501) population according to the Federal census of 1910, or according to any subsequent Federal Census, "and which the said W. C. Kyle, deceased, repaid to the County of Tuscaloosa.

H. 830. To repeal an act entitled an act, "to provide for building and maintaining public highways through incorporated towns and cities by Boards of Revenue and Courts of County Commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such Boards of Revenue and Courts of County Commissioners for road purposes," approved March 17th, 1915.

H. 996. For the relief of J. M. Tuck, as Constable of precinct 21, Jefferson County, Alabama.

H. 869. To make each County in the State of Alabama, which now has over One Hundred and Fifty Thousand population, according to the last census taken by the United States of America, or which may hereafter have over One Hundred and Fifty Thousand population, according to a census which may hereafter be taken by the United States of America, a Stock Law District, and to make it unlawful for stock to run at large in such Stock Law District, subject to the same penalty or penalties and in the same manner and way as is provided by general laws of the State of Alabama, pertaining to other Stock Law Districts in the State.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills and returns same herewith to the House:

H. 1049. To fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States Census, or any census which may hereafter be taken.

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the Offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff, and the Clerks, bailiffs, marshals and other employees of all Inferior Courts, created in lieu of Justice of Peace Courts, where said officials are paid a salary out of the County Treasury.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Sanderson the House concurred in and adopted the Senate amendment to the Bill H. 1049. Said Senate amendment being as follows:

SUBSTITUTE FOR H. 1049

H. 1049. A Bill to be entitled an Act to fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of Seventy-Five Thousand people and less than Ninety-Five thousand people according to the last United States Census, or any census which may hereafter be taken; and to extend the present terms of office of said Coroners.

Be it Enacted by the Legislature of Alabama:

Section 1. That a coroner in all counties of the State which now have or may hereafter have a population of Seventy-Five thousand people and less than Ninety-Five thousand people according to the last United States Census, or any such census which may hereafter be taken, shall be elected by the qualified voters thereof, who holds office for four years from the first Monday after the second Tuesday in January next after his election.

Section 2. That the term of office of Coroner in all counties of the State mentioned in Section One of this Act, is hereby extended until the first Monday after the second Tuesday in January, 1931; the incumbent to hold office until his successor is elected and qualified.

Section 3. This Act shall take effect immediately upon passage.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Kirkpatrick	Sanders (Pike)
Adcock	Grove	Lawler	Sanderson
Bartlett	Gullatt	McAdory	Shepherd
Beebe	Guy	Martin	Shivers
Brunson	Hawkins	Matthews	Simpson
Bryant	Hightower	Mullen	Smith
Burleson	Hollis	Nipper	Starnes
Christian	Howard	Norman	Stephens
Cockrell	Howell	Parish	Stewart (Bibb)
Deloney	Hubbard	Patterson	Stewart (Calhoun)
Denson	Hughes	Reeder	Thompson
Desear	Jeter	Ringer	Tompkins
Edmundson	Johnson	Rogers (Elmore)	Tunstall
Fite	Jones (Bullock)	Rogers (Mobile)	Vickers
Frey	Jones (Cleburne)	St. John	Waddell
Goode	Jordan (Washington)	Sanders (Conecuh)	Wallace
Goodwyn			

—65

On motion of Mr. Simpson the House concurred in and adopted the Senate amendment to the Bill H. 946. Said Senate amendment being as follows:

Amend the caption and Section 1 of House Bill 946 as follows:

Amend the caption and Section 1 of said bill by adding immediately after the words Justice of Peace Courts where they appear therein the words: and Court Reporters:

Further amend Section 1 by adding at the end of said Section the following words: or to the Register in Chancery or to the Clerks, deputy or other employees of Inferior Courts established in a place where a division of the Circuit Court is held other than at the County Site in said counties.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Edmundson	Hollis
Adcock	Carter	Fite	Howard
Anderson	Christian	Frey	Howell
Ashcraft	Deloney	Golson	Hubbard
Baldwin	Denson	Hawkins	Hughes
Bartlett	Desear	Hightower	Johnson

Jones (Clebune)	Owens	Ringer	Starnes
Jordan (Washington)	Parish	Rivers	Stephens
Kirkpatrick	Patterson	Rogers (Elmore)	Waddell
Langdon	Pegues	Rogers (Mobile)	Wallace
Lawler	Pitts	Sanders (Conecuh)	Ward (Geneva)
Lee	Poole	Sanders (Pike)	Ward (Tuscaloosa)
Lovelace	Powell	Sanderson	Ware
Molette	Quillin	Shepherd	Webb
Mullen	Rankin	Shivers	Weldon
Nipper	Reeder	Smith	Winn
Norman			

—64

Nay:—Mr. Simpson—1.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I herewith return to the House of Representatives, the body in which it originated, House Bill No. 844 without my approval. I suggest the following executive amendment, which, if concurred in, will remove my objection to the bill.

Amend House Bill No. 844 by striking out Section 5 thereof, and renumbering Section 6 as Section 5.

Respectfully,
Bibb Graves,
Governor.

August 23, 1927.

On motion of Mr. Beebe the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 844 Said amendment being set out in the above and foregoing Message from the Governor.

Yeas, 69; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Lovelace	Sanders (Conecuh)
Adcock	Goodwyn	Luck	Sanders (Pike)
Allen	Graves	McAdory	Shepherd
Anderson	Green	Matthews	Shivers
Ashcraft	Grove	Merrill	Simpson
Baldwin	Gullatt	Miller (Sumter)	Starnes
Beebe	Hampton	Mullen	Stephens
Burns	Hawkins	Patterson	Stewart (Calhoun)
Byars	Hightower	Pegues	Tunstall
Carter	Howard	Pitts	Vickers
Christian	Jeter	Quillin	Waddell
Cook	Johnson	Rankin	Ward (Geneva)
Darden	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Deloney	Jones (Clebune)	Ringer	Ware
Desear	Jordan (Washington)	Rivers	Webb
Edmundson	Kirkpatrick	Rogers (Elmore)	Weldon
Fite	Lee	Rogers (Mobile)	Winn
Frey			

—69

Which was a majority of the whole number elected to the House and said Bill:

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 60; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Desear	Jones (Cleburne)	Ringer
Adcock	Edmundson	Jordan (Washington)	Rogers (Mobile)
Anderson	Fite	Kirkpatrick	Sanders (Pike)
Ashcraft	Frey	Lee	Sanderson
Baldwin	Goode	Lovelace	Shivers
Bartlett	Goodwyn	McAdory	Starnes
Beebe	Green	Matthews	Stewart (Bibb)
Bryant	Grove	Miller (Marengo)	Stewart (Calhoun)
Burleson	Hampton	Mullen	Waddell
Burns	Hightower	Patterson	Ward (Geneva)
Carter	Hollis	Pegues	Ward (Tuscaloosa)
Christian	Howard	Pitts	Ware
Cook	Hughes	Quillin	Webb
Darden	Johnson	Rankin	Weldon
Deloney	Jones (Bullock)	Reeder	Winn

—60

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill Number 6 without my approval. I suggest the following executive amendments, which if concurred in, will remove the objections to the Bill:

Amend the title to the Bill so as to read as follows: To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041, Code of Alabama of 1923 relating to Geological Survey.

Amend the enacting clause by striking out the word "these" where it occurs therein.

Amend the enacting clause by inserting between the word "of" and the figures "1923" where they occur therein the word "Alabama."

Amend Section 1033 by striking out the words: "This Section is to be amended so as to read as follows:

Amend Section 1034 by striking therefrom the words, "This Section is to be amended so as to read as follows."

Amend Section 1034 by inserting between the word "of" and the figures "1923" at the end of said Section the word "Alabama".

Amend Section 1035 by striking therefrom the following words: "This Section is to be amended so as to read as follows:"

Amend Section 1036 by striking therefrom the words, "This Section is to be amended by the Committee on Appropriations to read as follows.

Further amend Section 1036 by inserting between the word "of" and the figures "1923" where they occur together therein the word "Alabama."

Amend Section 1037 by striking therefrom the following words: "This Section is to be amended so as to read as follows:"

Amend Section 1038 by striking therefrom the following words, "This Section is to be amended so as to read as follows:"

Amend Section 1039 by striking therefrom the following words, "This Section is to be amended so as to read as follows."

Amend Section 1040 by striking therefrom the following words, "This Section is to be amended so as to read as follows."

Amend Section 1041 by striking therefrom the following words, "This Section is to be amended so as to read as follows".

Respectfully,
Bibb Graves,
Governor.

August 25, 1927

GOVERNOR'S MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill H. 6. Said amendment being set out in the above and foregoing Message from the Governor.

Yeas, 76; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Denson	Lawler	Reeder
Adcock	Edmundson	Lee	Ringer
Allen	Fite	Lovelace	Rivers
Anderson	Frey	McAdory	Rogers (Elmore)
Ashcraft	Golson	Martin	Rogers (Mobile)
Baldwin	Goode	Matthews	Sanders (Pike)
Bartlett	Goodwyn	Miller (Marengo)	Sanderson
Beebe	Green	Miller (Sumter)	Shivers
Bryant	Grove	Molette	Simpson
Burleson	Hampton	Morrow	Smith
Burns	Hightower	Moxley	Starnes
Byars	Hollis	Mullen	Stephens
Cannon	Howard	Nipper	Stewart (Bibb)
Carter	Hughes	Owens	Stewart (Calhoun)
Christian	Johnson	Parish	Thompson
Cockrell	Jones (Bullock)	Patterson	Wallace
Cook	Jones (Cleburne)	Pegues	Ward (Tuscaloosa)
Darden	Jordan (Washington)	Pitts	Ware
Deloney	Langdon	Powell	Webb

Which was a majority of the whole number elected to the House.

And said Bill:

H. 6. To amend sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 69; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Jordan (Washington)	Rivers
Adcock	Frey	Lee	Rogers (Elmore)
Allen	Golson	Lovelace	Rogers (Mobile)
Ashcraft	Goode	McAdory	Sanders (Pike)
Baldwin	Goodwyn	Martin	Sanderson
Beebe	Graves	Matthews	Shepherd
Bryant	Green	Merrill	Simpson
Burns	Grove	Miller (Marengo)	Smith
Byars	Gullatt	Morrow	Stephens
Cannon	Hampton	Mullen	Stewart (Calhoun)
Christian	Hightower	Nipper	Thompson
Cockrell	Hollis	Parish	Tunstall
Cook	Howard	Patterson	Ward (Geneva)
Darden	Howell	Pegues	Ward (Tuscaloosa)
Deloney	Hughes	Powell	Ware
Denson	Jones (Bullock)	Reeder	Webb
Desear	Jones (Cleburne)	Ringer	Weldon
Edmundson			

—69

Which was a majority of the whole number elected to the House.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 994. To amend Section 5 of an Act approved August 28, 1915, and entitled: "An Act to regulate and restrict the expenditures made, or contracted to be made, by each city in the State of Alabama which now has, or which may hereafter have, a population of more than one hundred thousand, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the impeachment and removal from office of each person, a member of the governing body of such city, who wilfully causes, abets or permits any unlawful expenditure to be made or contracts by such city."

Also:

H. 1140. To amend Section 17 of an Act entitled An Act to provide and create a commission form of municipal government

and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or any such census which may hereafter be taken: to regulate the selection and election of Commissioners and their terms of office, to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder: to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government. Approved September 18, 1923.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 441. To authorize Jefferson County, Alabama, to acquire by condemnation, the whole of block twenty-one known as Woodrow Wilson Park, in the City of Birmingham, Alabama, for the erection of a court house and jail thereon for the use of said county and to provide for the disposition of the damages assessed on any such proceeding.

S. 342. To authorize cities which now have or which may hereafter have a population of 100,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abutting the street upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the

reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 143. To authorize and provide for the payment of the sum of two thousand five hundred (2,500.00) dollars for the relief of Perry J. Coyle, of Jefferson County, who was injured on the 9th day of October, 1920, while in line of duty with the National Guard of Alabama.

H. 1081. To repeal "An Act to provide a better system of road building and construction for the County of Marion", approved on August 22nd, 1919.

H. 1012. To abolish the office of Deputy Solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws except as herein provided for.

H. 1025. To designate and establish a State Trunk Road from Attalla, in Etowah County to Springville, in St. Clair County, Alabama, and to provide for its construction and maintenance by the State Highway Department.

H. 1055. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

H. 822. To amend section 15 of an act approved April 8th, 1911 and entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government."

H. 1002. To permit Justices of the Peace and Notaries Public, who are ex officio Justices of the Peace, residing in and

exercising jurisdiction in territory annexed to any city in this state which city has a population of not less than forty thousand population and not more than fifty-five thousand according to last Federal Census and wherein is located a Court of Common Pleas or an inferior Court with the jurisdiction of a Justice of the Peace, to continue in the exercise of the functions of their respective offices to the expiration of their present terms.

H. 541. To prescribe what documents shall be admitted to record in the offices of Probate Judges of the several counties of Alabama, and to provide that their filing for record shall constitute notice of their contents.

H. 276. To amend Section 4569 of the Code of Alabama.

H. 275. To amend Section 4559 of the Code of Alabama.

H. 134. To provide for contests of elections held for the purpose of levying a special district tax for public school purposes.

J. E. Speight,
Secretary.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 10:30 A. M. on Aug. 25, 1927.

H. 88.

H. 705.

H. 625.

H. 1043.

H. 387.

H. 382.

H. 835.

H. 904.

H. 374.

H. 776.

H. 377.

H. 605.

H. 554.

H. 421.

H. 653.

H. 125.

H. 805.

H. 1122.

H. 539.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 12 noon on Aug. 25, 1927.

H. 994.

H. 1140.

J. H. Stewart,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the following Resolution:

H. J. R. 278. Requesting the Capitol Building Commission to place an elevator in the State Capitol when in the opinion of the Governor the condition of the Treasury will permit.

And returns same herewith to the House.

J. E. Speight,
Secretary.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business which was the Bill:

H. 1172. To give a right of action for libel to the State of Alabama, and to all cities, towns and counties thereof, against newspapers published or circulated therein; to provide who shall prosecute such actions; the venue thereof; the amount of damages recoverable; to fix a limitation upon such action, and to repeal all laws or parts of laws in conflict herewith.

Mr. Tunstall offered the following substitute for the Bill H. 1172.

A BILL

A Bill to be entitled an Act to give a right of action for libel to the State of Alabama, and to all cities, towns and counties thereof, against newspapers published or circulated therein; to provide who shall prosecute such actions; the venue thereof; the amount of damages recoverable; to fix a limitation upon such action, and to repeal all laws or parts of law in conflict herewith. Be it Enacted by the Legislature of Alabama:

Section 1. A right of action is hereby given and granted to any incorporated city or town of this State, to any county thereof, and to the State of Alabama against any person, firm or cor-

poration publishing or circulating a newspaper of any kind or description in which libelous matter is published concerning any such city, town or State, or the people thereof.

Section 2. Such suits shall be prosecuted by the Attorney General, when brought on behalf of the State of Alabama; by the County or Circuit Solicitor for any County of this State, and by the Mayor or his attorney on behalf of any City or Town.

Section 3. Said suits may be prosecuted in the county where the newspaper containing the libelous matter was published, or in the County of Complainant.

Section 4. In all such suits the plaintiff shall be entitled to such damages as the jury may assess.

Section 5. Such suits may be brought within one year after the publication of the matter complained of, and not afterwards.

Section 6. This Act shall become effective on its approval by the Governor.

Section 7. If any sentence, clause or phrase, word, paragraph, or section of this Act shall be held unconstitutional, it shall not effect the remainder of this Act.

Section 8. All laws and parts of law in conflict herewith be and the same are hereby repealed.

Mr. Goodwyn moved to indefinitely postpone the Bill H. 1172 and substitute offered by Mr. Tunstall, and the motion to indefinitely postpone was lost.

Yeas, 41; Nays, 55.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Martin	St. John
Ashcraft	Green	Merrill	Sanders (Conecuh)
Beebe	Grove	Morrow	Sanderson
Christian	Guy	Norman	Shivers
Cook	Hampton	Patterson	Simpson
Darden	Hawkins	Pitts	Vickers
Deloney	Howell	Rankin	Waddell
Denson	Lawler	Reeder	Wallace
Desear	Lovelace	Rogers (Elmore)	Ward (Geneva)
Edmundson	Luck	Rogers (Mobile)	Winn
Goode			

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Nays:

Messrs.:

Adcock	Carter	Hughes	Matthews
Allen	Cockrell	Jeter	Miller (Marengo)
Anderson	Fite	Johnson	Miller (Sumter)
Baldwin	Frey	Jones (Bullock)	Molette
Bartlett	Golson	Jones (Cleburne)	Monk
Brunson	Gullatt	Jordan (Washington)	Mullen
Bryant	Hightower	Kirkpatrick	Nipper
Burleson	Hollis	Langdon	Owens
Byars	Howard	Lee	Pegues
Cannon	Hubbard	McAdory	Powell

Quillin	Smith	Thompson	Ware
Ringer	Stephens	Tompkins	Webb
Rivers	Stewart (Bibb)	Tunstall	Weldon
Sanders (Pike)	Stewart (Calhoun)	Ward (Tuscaloosa)	

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Mr. Simpson offered the following amendment to the substitute offered by Mr. Tunstall for the Bill, H. 1172.

"Provided, that no person who is a citizen of a county or city which is plaintiff in a cause of action brought under this act shall sit on a jury trying such suit.

On motion of Mr. Tunstall the amendment to the substitute offered by Mr. Simpson was laid upon the table.

Yeas, 57; Nays, 39.

Yeas:

Messrs:			
Adcock	Frey	Lee	Ringer
Allen	Golson	Luck	Rivers
Anderson	Gullatt	McAdory	Sanders (Pike)
Baldwin	Hollis	Matthews	Smith
Bartlett	Howard	Miller (Marengo)	Starnes
Brunson	Hubbard	Miller (Sumter)	Stephens
Bryant	Hughes	Molette	Stewart (Bibb)
Burleson	Jeter	Monk	Stewart (Calhoun)
Burns	Johnson	Mullen	Thompson
Byars	Jones (Bullock)	Nipper	Tompkins
Cannon	Jones (Cleburne)	Owens	Tunstall
Carter	Jordan (Washington)	Pegues	Ware
Cockrell	Kirkpatrick	Powell	Webb
Desear	Langdon	Quillin	Weldon
Fite			

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Nays:

Messrs:			
Mr. Speaker	Goodwyn	Martin	Sanders (Conecuh)
Ashcraft	Green	Merrill	Sanderson
Beebe	Grove	Morrow	Shivers
Christian	Guy	Norman	Simpson
Cook	Hampton	Patterson	Vickers
Darden	Hawkins	Pitts	Wallace
Deloney	Hightower	Rankin	Ward (Geneva)
Denson	Howell	Reeder	Ward (Tuscaloosa)
Edmundson	Lawler	Rogers (Elmore)	Winn
Goode	Lovelace	Rogers (Mobile)	

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ADJOURNMENT

Pending the further consideration of the Bill H. 1172, the House, on motion of Mr. Frey, in accordance with a Senate Joint Resolution heretofore adopted, adjourned until Tuesday, August 30th, 1927, at 9:30 o'clock A. M.

FORTY-NINTH DAY

House of Representatives,
Montgomery, Alabama,
Tuesday, August 30th, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Thompson of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Mobile)
Adcock	Goodwyn	McAdory	St. John
Allen	Graves	Martin	Sanders (Conecuh)
Anderson	Green	Matthews	Sanders (Pike)
Ashcraft	Grove	Merrill	Sanderson
Baldwin	Gullatt	Miller (Marengo)	Shepherd
Bartlett	Guy	Miller (Sumter)	Shivers
Beebe	Hampton	Molette	Simpson
Brunson	Harwood	Monk	Smith
Bryant	Hawkins	Morrow	Starnes
Burleson	Hightower	Moxley	Stephens
Burns	Hollis	Mullen	Stewart (Bibb)
Byars	Howard	Nipper	Stewart (Calhoun)
Cannon	Hubbard	Norman	Thompson
Carter	Hughes	Owens	Tompkins
Christian	Jeter	Parish	Tunstall
Cockrell	Johnson	Patterson	Vickers
Cook	Jones (Bullock)	Pegues	Waddell
Darden	Jones (Cleburne)	Pitts	Wallace
Deloney	Jordan (Etowah)	Poole	Ward (Geneva)
Denson	Jordan (Washington)	Powell	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Quillin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Lovelace	Rogers (Elmore)	

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on the Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE
JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 48th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 48th legislative day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Desear, Howell and Rankin for to-day.

RESOLUTIONS

The following resolutions were introduced:

Rules Committee:

H. R. 314. Resolved by the House, the Senate concurring, that when the two Houses adjourn for today, they adjourn to meet on Friday September 2nd, 1927.

And the resolution was adopted.

Rules Committee:

H. R. 315. Resolved by the House that the House hold three sessions today as follows: Recess at 12:30 and reconvene at 2 P. M.; recess at 5:30 and reconvene at 7:30.

And the resolution was adopted.

Rules Committee:

H. R. 316. Resolved by the House that beginning with the morning session of the House today and continuing until adjournment *sine die* no member of the House shall be allowed to speak more than five (5) minutes at any time.

And the resolution was adopted.

Rules Committee:

H. R. 317. Making certain Senate Bills Special Orders.

And the Resolution was adopted.

By Mr. Cockrell:

H. R. 318. Resolved by the House of Representatives that:

Whereas, the long session of the Legislature has kept the members of the Senate and House in Montgomery practically all the year and it has been necessary to find means of recreation and restful amusement during the long evenings we have been away from our homes; and, whereas the many courtesies shown us by Mr. Hoxey C. Farley, Manager of the Montgomery Enter-

prises, Inc., have done much to add to the pleasure of our long stay in Montgomery; therefore,

Be it resolved by the House of Representatives of the State of Alabama that we extend our thanks to Hoxey C. Farley for the many courtesies shown to the members of the Legislature and we congratulate him upon the high class entertainment, the courtesies and service furnished the people of Montgomery in the several motion picture theatres under his management.

And the rules were suspended and the resolution was adopted.

By Mr. Carter:

H. R. 319. Relative to making S. B. 323 a Special Order.

And the resolution was referred to the Standing Committee on Rules.

By Mr. Simpson:

H. R. 320. Relative to making S. B. 224 a special order.

And the resolution was referred to the Committee on Rules.

By Mr. Frey:

H. J. R. 321. Whereas, one of the finest Stadiums in the South will be dedicated in Birmingham, Alabama, on the 19th day of November, 1927, by Birmingham Post No. 1 of the American Legion; and,

Whereas, said Stadium has been officially named "Legion Field" by the Park and Recreation Board of the City of Birmingham, and is intended as a memorial to all Alabamians who made the supreme sacrifice in the late war; and,

Whereas, Birmingham Post No. 1 of the American Legion is now engaged in raising \$50,000.00 with which to erect a memorial entrance to said Stadium, on which all the names of Alabama's dead in the late war will be permanently enrolled, and for this purpose, has arranged for Howard and Birmingham-Southern Colleges to play their annual football game in said Stadium, on said date, as the dedicatory game; and,

Whereas, by agreement between said Colleges and the Legion, the major portion of the proceeds of said game are to go to the Legion's memorial fund and be used exclusively for the said memorial entrance; and,

Whereas, said undertaking, in our opinion, is entitled to the cordial support of every patriotic citizen in this State;

Now, therefore, be it resolved by the Legislature of Alabama as follows:

1. That we approve and endorse the plan of Birmingham Post No. 1 of the American Legion to erect a memorial entrance to "Legion Field" in Birmingham in honor of Alabama's dead in the late war.

2. That we approve and endorse the Howard-Birmingham-Southern football game to be played in "Legion Field" on November 19, 1927, under auspices of Birmingham Post No. 1, of

the American Legion for the purpose of raising funds for said memorial.

3. That we accept the invitation of the American Legion to attend said game and participate in the dedicatory exercises of the day.

And the Resolution was adopted by a unanimous rising vote of the House.

By Mr. Jeter:

H. R. 322. Relative to making S. 133 Special Order.

And the resolution was referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Sanderson, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 584. To authorize the Attorney General and his duly appointed assistants to summon and compel the attendance of witnesses before them, or either of them, to testify in investigations of certain civil and criminal matters, which the law authorizes the attorney general to conduct, and to prescribe the fees and mileage of such witnesses, and the fees of officers serving such subpoenas.

Mr. Lovelace, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 413. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the State, or to any Township thereof, or to the inhabitants of any such Township.

Mr. Morrow Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 589. To divide Coffee County, Ala., into four Commissioners' Districts; to provide for the election of County Commissioners for said County from each of such districts by the qualified electors of said districts; to provide elections at which the County Commissioners for said Commissioners' Districts shall be elected, and to provide for and fix their term of office; to prescribe their duties and compensation.

Mr. Hawkins, Chairman of the Standing Committee on Municipal Organization, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 344. To amend Section 2174 of the Code of Alabama, 1923.

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 570. To provide for the more efficient building, repairing and maintaining of the public roads and bridges of all counties in this State which now have according to the last Federal census a population of not less than 20,862 and not exceeding 22,000 inhabitants, and to provide that the members of the Court of County Commissioners shall be ex-officio supervisors of the public roads and bridges of their respective districts, and prescribe their authority as such; to define their duties and fix their compensation as such supervisors.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 585. To authorize and empower the Board of Revenue of the County of Tuscaloosa to pay out of the General Treasury of said County the salaries of two deputies of the Sheriff of Tuscaloosa County, Alabama, said salaries not to exceed the sum of one hundred twenty-five and no-100 (\$125.00) Dollars per month to each of the said deputies.

S. 587. To authorize governing bodies of all cities in this state having a population of not less than 35,000 inhabitants and not more than 150,000 inhabitants according to the last or any subsequent Federal census, to exempt from municipal taxation, and to remit any taxes which may be assessed by such cities for municipal purposes against, manufacturing enterprises and manufacturing establishments of any kind, shipbuilding plants, fertilizer plants and factories and plants constructed or operated for the purpose of manufacturing any kind of manufactured products, now or hereafter located in such municipality; such exemption from municipal taxation and such remission of municipal taxes to be for periods of not longer than ten years at any one time.

Mr. Christian, Chairman of the Standing Committee on Soldiers' Home, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 590. To admit to the Soldier's Home at Mountain Creek certain indigent female relatives of Confederate Veterans.

Mr. Simpson, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 580. To provide for the appointment of bailiffs in all circuit courts in all counties of the State of Alabama having a population of 200,000, or more, according to the last or any subsequent federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILLS REPORTED ADVERSELY

Mr. Poole, Chairman of the Standing Committee on Public Roads and Highways, reported that said committee in session had acted on the following bills and ordered same returned to the House with an Adverse Report:

S. 241.

S. 361.

S. 480.

S. 495.

S. 508.

The above and foregoing bills were placed on the adverse calendar.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolution:

H. 902. To ratify and confirm a contract executed on the 25th day of August, 1925, between the City of Anniston, Alabama, and Mrs. Emmett W. Ledbetter, Mrs. Hugh D. Merrill and Mrs. A. H. Shepperd, as trustees for the Axis Club of Anniston, Alabama, a copy of which contract is hereto attached and marked "Exhibit A," and to ratify and confirm the proceedings of the City Council of the City of Anniston, Alabama, authorizing the execution of said contract, and to authorize and empower the City of Anniston, Alabama, to make such changes and modifications in said contract as may be necessary effectually to lease or grant the real estate and property described in said contract to said Axis Club.

Also:

H. 830. To repeal an act entitled an act, "To provide for building and maintaining public highways through incorporated towns and cities by Boards of Revenue and Courts of County Commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such Board of Revenue and Courts of County Commissioners for road purposes," approved March 17th, 1915.

Also:

H. 1059. To authorize the Board of Revenue of Tuscaloosa County, Alabama, to refund out of the general fund of Tuscaloosa County, Alabama, to the administrator of the estate of W. C. Kyle, deceased, the sum of fourteen hundred seventy-five and no/100 (\$1,475.00) dollars, which amount was paid to W. C. Kyle, as sheriff of Tuscaloosa County, under the provisions of the Act approved September 24, 1919, and entitled "An Act to provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than fifty-three thousand four hundred and one (53,401) nor more than fifty-eight thousand five hundred and one (58,501) population according to the Federal census of 1910, or according to any subsequent Federal census," and which the said W. C. Kyle, deceased, repaid to the County of Tuscaloosa.

Also:

H. 1022. To authorize the Court of County Commissioners of Covington County, Alabama, to issue a warrant in favor of J. W. Livings, for the sum of \$204.42, and to provide for the payment of the same by the county treasurer.

Also:

H. 987. To create and establish a jury commission for Coffee County, Alabama, to fix and prescribe their duties, the term of office, their compensation, and to repeal all existing laws in conflict therewith.

H. 680. To provide that in Calhoun County, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Also:

H. 802. To alter and re-arrange the boundary lines of the Town of Ashland, Alabama, so as to include within the corporate limits of said town the territory described in Section one of this bill.

Also:

H. 354. To amend Section 7489 of the Code.

Also:

H. 762. To amend Section 3 of an act approved September 3rd, 1919, entitled an act "To establish a Board of Revenue for Russell County, to provide for the appointment and election of

the members thereof and prescribe their duties and powers, to provide for a president of said board and to fix his duties and powers; and to fix their compensation: to divide the County of Russell into five (5) Board of Revenue Districts and abolish the Court of County Commissioners and repeal all conflicting laws, general, local and special."

Also:

H. 869. To make each County in the State of Alabama, which now has over One Hundred and Fifty Thousand population, according to the last census taken by the United States of America, or which may hereafter have over one hundred and fifty thousand population, according to a census which may hereafter be taken by the United States of America, A Stock Law District, and to make it unlawful for stock to run at large in such Stock Law District, subject to the same penalty or penalties and in the same manner and way as is provided by general laws of the State of Alabama, pertaining to other Stock Law Districts in the State.

Also:

H. 996. For the relief of J. M. Tuck, as Constable of precinct 21, Jefferson County, Alabama.

Also:

H. 1067. To fix the salary of the Judge of the County Court of Escambia County, Alabama, and to provide for the payment of the same.

Also:

H. 901. To authorize the sale of certain lands now held by and in the name of the City of Jacksonville, Alabama, for school purposes in said City, and to authorize the execution of proper conveyance thereof by the City authorities of said City, the proceeds of such sale to be used for City School Purposes in said City of Jacksonville, Alabama.

Also:

H. 1016. To provide that all persons who have heretofore engaged in the practice of veterinary medicine in Dekalb County, Alabama for ten years be allowed to continue the practice of veterinary medicine and surgery in Dekalb County, Alabama without procuring a license or permit from the State Board of Veterinary Medical Examiners of The State of Alabama.

Also:

H. 988. Empowering the Clerk of the Circuit Court of the County of Conecuh to take affidavits for the arrest of persons charged with crime, and to issue warrants for the arrest of such persons, returnable before the Judge of the County Court, of Conecuh County, Alabama, and empowering said Clerk to issue other process out of said County Court such as forfeiture Sci

Fas, attachment of witnesses, etc., and to provide compensation for said services.

Also:

H. 1011. To provide for the fixing of the terms of office of the members of the Board of Revenue of Lawrence county, Alabama, for election of members of said Board of Revenue and for the repeal of all laws, general local and special in conflict with the provisions of this Act.

Also:

H. 1081. To repeal "An Act to provide a better system of road building and construction for the County of Marion," approved on August 22nd, 1919.

Also:

H. 1012. To abolish the office of Deputy Solicitor of Lawrence County, Alabama, to fix the time when such office shall be abolished and to provide that such bill shall not effect any general, special or local laws except as herein provided for.

Also:

H. 1025. To designate and establish a State Trunk Road from Attalla, in Etowah County to Springville, in St. Clair County, Alabama, and to provide for its construction and maintenance by the State Highway Department.

Also:

H. 1055. To fix the salary of the Deputy Solicitor for Talladega County, Alabama, at twelve hundred dollars per year, and to provide for the payment thereof.

Also:

H. 822. To amend Section 15 of an Act approved April 8th, 1911 and entitled "An Act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government."

Also:

H. 1002. To permit Justices of the Peace and Notaries Public, who are ex-officio Justices of the Peace, residing in and exercising jurisdiction in territory annexed to any city in this state which city has a population of not less than forty thousand population and not more than fifty-five thousand according to last Federal Census and wherein is located a Court of Common Pleas or an inferior Court with the jurisdiction of a Justice of the Peace, to continue in the exercise of the functions of their respective offices to the expiration of their present terms.

Also:

H. 541. To prescribe what documents shall be admitted to record in the offices of Probate Judges of the several counties of Alabama, and to provide that their filing for record shall constitute notice of their contents.

Also:

H. 276. To amend Section 4569 of the Code of Alabama.

Also:

H. 275. To amend Section 4559 of the Code of Alabama.

Also:

H. 134. To provide for contests of elections held for the purpose of levying a special district tax for public school purposes.

Also:

H. 946. To further prescribe the powers and duties of the Board of Revenue or other governing bodies in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census and to prescribe that such Board of Revenue shall fix the salaries or compensation of all deputies, assistants, clerks or other employees in the offices of the Tax Collector, Tax Assessor, Probate Judge, Clerk of the Circuit Court, Register in Chancery, Treasurer and Sheriff and the Clerks, Bailiffs, Marshalls, and other employees of all Inferior Courts, and Court Reporter, created in lieu of Justice of the Peace Courts, where said officials are paid a salary out of the County Treasury.

Also:

H. 143. To authorize and provide for the payment of the sum of two thousand five hundred (\$2,500.00) dollars for the relief of Perry J. Coyle, of Jefferson County, who was injured on the 9th day of October, 1920, while in line of duty with the National Guard of Alabama.

Also:

H. 1049. To fix the term of office of Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States census, or any census which may hereafter be taken.

Also:

H. 842. A Bill to be Entitled an Act to propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and the institutions of higher learning, including the normal schools, in this State and to this end and for this purpose, the State is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the institutions of higher learning including the normal schools in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools; One Mill of the two and one-half mills ad valorem tax now levied by law for

general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and the institutions of higher learning including the normal schools in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable State bonds in an amount not to exceed the sum of Twenty Million Dollars to be issued in such denominations, numbers and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the State when authorized by appropriate laws passed by the Legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the institutions of higher learning including the normal schools in this State, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such schools and said institutions named herein, one mill of the two and one-half mills advalorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest

of said bonds shall have been paid in full. Nothing herein shall be construed as in any wise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Also:

H. J. R. 278. Requesting the Capitol Building Commission to construct an elevator in the Capitol Building.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Oliver:

S. J. R. 95. Whereas the Treasurer of the State of Alabama in his annual Report for the years 1925-1926 classifies the Alabama State Schools for the Deaf and for the Blind as Eleemosynary and Charitable Institutions, and

Whereas these schools are Educational Institutions and are erroneously classified,

Therefore be it resolved by the Senate, the House concurring, that all State officials are hereby instructed to classify the State Schools for the Deaf and Blind as Educational Institutions in their reports.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 95 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker :

The Senate has amended as therein shown and, as amended, has passed the following House Bills, and returns same herewith to the House:

H. 908. To further regulate inferior courts in cities having more than one hundred thousand population according to the last or any subsequent federal census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation, and to provide for and fix the compensation of the deputy solicitor of such court, and to provide that this act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

Also:

H. 115. To protect purchasers of real and personal property against which mortgages, vendor's liens, judgments and other liens have been recorded in dealing with the record owners of such liens, and to provide that cancellations of liens of this character by the record owners thereof shall be valid as to such purchasers.

Also:

H. 114. To regulate the feeding of prisoners in County jails and to provide for the manner of payment for the feeding of such prisoners.

Also:

H. 720. To make an appropriation to the Southern Industrial Institute for the purpose of constructing and equipping buildings at said school and for the maintenance of said institution.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Jeter the House concurred in and adopted the Senate amendment to the Bill H. 908. Said Senate amendment being as follows:

SUBSTITUTE FOR H. 908

Substitute for H. 908 the following:

H. 908. A Bill to be entitled an Act to further regulate inferior courts in cities having more than one hundred thousand population according to the last or any subsequent Federal census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation, and to provide for and fix the compensation of the Deputy Solicitor of such Court, and to provide that this Act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

Section 1. Be it enacted by the Legislature of Alabama that in all cities of this state having a population of more than one hundred thousand according to the last or any subsequent Federal census that the judges of Inferior Courts located in such cities and where said court has but one judge, which judge exercises both civil and criminal jurisdiction, that the salary of the judge of such court shall be fifty one hundred dollars per annum, payable in twelve equal monthly installments out of the county treasury of such county wherein such cities are located, on warrants to be drawn by such judge.

Section 2. Be it further enacted by the Legislature of Alabama that the judge of such court hereinabove described in Section 1 of this Act shall appoint a clerk of such court who shall hold office at the will of the judge appointing him, and the compensation of such clerk shall be fixed by the Board of Revenue or like governing body of the county wherein said court is located.

Section 3. That the Judge of such court herein above described in Section 1 of this Act shall have the power and authority to appoint two bailiffs for said court who shall hold office at the will of the judge so appointing them and shall receive as compensation the sum of one hundred and seventy five dollars per month, payable from the county treasury of the county wherein such courts may be located on the warrant of the judge of such court.

Section 4. That the deputy solicitor of such courts shall receive a salary of three thousand dollars per annum, payable in twelve equal monthly installments out of the general fund of the

county wherein such courts may be located upon the warrant drawn by the circuit solicitor upon the treasury of said county.

Section 5. This Act shall not apply to any Inferior Court by whatsoever name designated located in cities of one hundred thousand population according to the last or any subsequent Federal census where said court has two or more judges and which courts exercise only civil jurisdiction or courts having one or more judges who exercise criminal jurisdiction exclusively.

Section 6. This Act shall go into effect immediately upon its passage.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Jeter	Powell
Adcock	Fite	Johnson	Quillin
Allen	Frey	Lee	Reeder
Baldwin	Golson	Lovelace	Ringer
Beebe	Goode	Luck	Rivers
Bryant	Goodwyn	McAdory	Rogers (Mobile)
Burns	Grove	Martin	Sanders (Pike)
Byars	Gullatt	Matthews	Sanderson
Cannon	Hampton	Molette	Shepherd
Carter	Harwood	Morrow	Shivers
Christian	Hawkins	Mullen	Simpson
Cockrell	Hightower	Nipper	Smith
Cook	Hollis	Norman	Stephens
Darden	Howard	Patterson	Waddell
Deloney	Hubbard	Pegues	Ware
Denson	Hughes	Poole	Webb
Edmundson			

—65

On motion of Mr. Lee the House concurred in and adopted the Senate amendment to the Bill H. 15. Said senate amendment being as follows:

Amend H. 15 as follows. Add Section 5 thereto which reads as follows:

"Sec. 5. That this bill shall not be retroactive, and nothing herein shall affect any rights of any party which have accrued prior to Jan. 1st, 1928."

Also amend Sec. 4 so as to make same read as follows:

"Sec. 4. That this Act shall become effective on and after January 1st, 1928."

Amend H. B. 15 by striking therefrom the words "and personal" wherever they appear both in the caption and in the body of the bill.

Yeas, 61; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Allen	Beebe	Burns
Adcock	Baldwin	Bryant	Cockrell

Darden	Jones (Bullock)	Quillin	Stewart (Calhoun)
Deloney	Jordan (Etowah)	Reeder	Thompson
Denson	Jordan (Washington)	Ringer	Tompkins
Edmundson	Lee	Rivers	Tunstall
Edwards	Martin	Rogers (Elmore)	Vickers
Goode	Matthews	Rogers (Mobile)	Waddell
Goodwyn	Miller (Sumter)	Sanders (Conecuh)	Wallace
Green	Monk	Sanderson	Ward (Geneva)
Grove	Parish	Shepherd	Ward (Tuscaloosa)
Hawkins	Patterson	Shivers	Ware
Hightower	Pitts	Simpson	Webb
Hubbard	Poole	Smith	Weldon
Jeter	Powell	Stephens	Winn
Johnson			

—61

On motion of Mr. Sanderson the House nonconcurrent in the Senate amendment to the Bill H. 114. Said Senate amendment being as follows:

SUBSTITUTE FOR H. 114.

H. 114. A Bill to be entitled an act to further regulate the feeding of prisoners in County Jails, and to provide the manner and method of payment for the feeding of such prisoners, by amending Sections 3, 4, 8 and 9 of an Act entitled: "An Act to regulate the feeding of prisoners in county jails to provide the manner and method of payment therefor," approved September 29th, 1923, and Section 4859 of the Code of Alabama, 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 3 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor," approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 3. Foods for prisoners in the county jails, except as otherwise provided by existing laws, shall be paid for by the State as follows:

There shall be allowed for food for each prisoner daily such amount as is actually necessary, but the said amount so allowed cannot exceed forty five cents per capita.

Section 2. That Section 4 of an Act entitled: "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor," approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 4. There shall be allowed the Sheriff for preparing and serving food the additional amount of twenty-five cents a day per capita for each prisoner up to and including five; twenty cents a day per capita for each prisoner in excess of five up to and including ten; and five cents a day per capita for each prisoner in excess of ten up to and including eighty-five, but there

shall be no further allowance for any number of prisoners in excess of eighty-five.

The minimum allowance to Sheriffs under this section shall be not less than \$1.25 per day, to be paid whether there is a prisoner confined in the jail or not; provided the jail over which the Sheriff has custody is not closed while undergoing repairs or for other cause.

Section 3. That Section 8 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor," approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 8. That all records shall be kept and statements made on forms prescribed and furnished by the State Prison Inspector and the State Auditor. It shall be the duty of the State Prison Inspector, and he is hereby given the authority to supervise either in person, or by deputy, the feeding of all prisoners in the jails of this State. The sheriffs shall not be required to prepare and make out what is commonly known as the daily ration sheet or the daily expense account.

Section 4. That section 9 of an Act entitled "An act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor," approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 9. On or before the tenth day of each month the sheriff shall send to the State Prison Inspector, and to the Court of County Commissioners or Board of Revenue, an itemized statement, setting out each kind of foodstuff served, with the amount and cost of same, and the number of prisoners fed, during the month next preceding.

The sheriff shall keep on file invoices and supporting papers of all foodstuff purchased or provided, showing the date and amount of such purchases and the cost of same.

Section 5. That section 4859 of the Code of Alabama, 1923, be and the same is hereby amended so as to read as follows:

Section 4859. The inspector may formulate and promulgate such rules and regulations as he may deem necessary with reference to hygiene, sanitation, cleanliness, healthfulness, feeding of prisoners, management and security of all jails, including town and city prisons, and almshouses and such rules and regulations shall have the same force and effect as law; provided that this section cannot be construed as authorizing the State Prison Inspector to require the sheriff to make out what is commonly known as the daily ration sheet or expense account.

Section 6. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 7. This Act shall go into effect on the 1st day of October, 1927.

And on motion of Mr. Sanderson a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill H. 114 and the Speaker named as conferees on the part of the House Messrs. Goodwyn, Baldwin and Luck.

On motion of Mr. Adcock the House concurred in and adopted the Senate amendment to the Bill H. 720. Said Senate amendment being as follows:

Amend House Bill Number 720 by adding thereto the following Section:

Section 4. The appropriation herein provided for shall not be available until in the judgement of the Governor the condition of the State Treasury warrants, and shall not be paid except with his approval.

Yeas, 66; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Lee	Rogers (Mobile)
Adcock	Goodwyn	Lovelace	St. John
Allen	Graves	Martin	Sanders (Conecuh)
Baldwin	Green	Matthews	Sanders (Pike)
Bryant	Grove	Merrill	Sanderson
Burleson	Hawkins	Miller (Sumter)	Smith
Burns	Hightower	Monk	Stephens
Cannon	Hollis	Mullen	Stewart (Calhoun)
Carter	Hubbard	Nipper	Tompkins
Cockrell	Hughes	Parish	Tunstall
Cook	Jeter	Patterson	Vickers
Darden	Johnson	Pitts	Waddell
Deloney	Jones (Bullock)	Poole	Ward (Geneva)
Edmundson	Jones (Cleburne)	Reeder	Ward (Tuscaloosa)
Edwards	Jordan (Etowah)	Rivers	Ware
Frey	Jordan (Washington)	Rogers (Elmore)	Weldon
Golson	Lawler		

—66

BILLS ON THIRD READING

With amendment:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on appropriations. Said Committee amendment being as follows:

Amend Senate Bill Number 320 by adding at the end of Section 73 of said Bill the following: "Also the sum of Ten Thou-

sand Dollars (\$10,000.00) per year for every year, or so much thereof as may be necessary, for the purpose of procuring group insurance for the members of the National Guard of Alabama; said sum to be expended under the direction of the State Board of Administration for insurance covering accidents or accidental death to the members of the National Guard of the State of Alabama.

And the amendment reported by the Standing Committee on appropriations was adopted.

Yeas, 66; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Edwards	Jones (Cleburne)	Rogers (Mobile)
Adcock	Fite	Jordan (Etowah)	Sanders (Conecuh)
Allen	Frey	Jordan (Washington)	Sanderson
Ashcraft	Golson	Lee	Shepherd
Baldwin	Goode	Martin	Simpson
Beebe	Goodwyn	Matthews	Smith
Bryant	Green	Merrill	Stephens
Burleson	Grove	Miller (Sumter)	Stewart (Calhoun)
Burns	Gullatt	Monk	Thompson
Carter	Guy	Mullen	Tompkins
Christian	Hawkins	Nipper	Tunstall
Cockrell	Hightower	Parish	Vickers
Cook	Hubbard	Patterson	Ward (Geneva)
Darden	Hughes	Reeder	Ward (Tuscaloosa)
Deloney	Jeter	Rivers	Ware
Denson	Johnson	Rogers (Elmore)	Weldon
Edmundson	Jones (Bullock)		

—66

Nay:—Mr. Cannon—1.

Mr. Simpson offered the following amendment to the bill, S. 320.

Amend Sec. 17-B (page 9) by striking therefrom the words "1 United States property and disbursing officer—\$2800.00" and inserting in lieu thereof the words "1 United States property and disbursing officer—\$2400.00"

Amend paragraph 17-A (page 9) by striking therefrom the words "1 Assistant to the Adjutant General—\$2400.00"

Amend Sec. 17-B (page 9) by striking therefrom the words "1 Assistant to the U. S. P. & D. Officer—\$2400.00."

Amend bill by adding just after Sec. 17 (page 9) an additional Section to be known as Sec. 17½, as follows:

Sec. 17½. That the personnel set forth in Sections 15, 16 and 17 above, namely: The Adjutant General, The Assistant Adjutant General, the United States property and disbursing officer, one assistant to the United States property and disbursing officer, 1 storekeeper and three stenographers shall be the entire personnel of this office and shall not be augmented by

temporary clerks or assistants whose salaries are paid out of any State funds whatsoever.

Amend Sec. 73 (page 39) by striking therefrom the words "ninety-four thousand dollars" in the four places where such words occur together in said Section and inserting in lieu thereof in each of said four places the words "eight-eight thousand eight hundred dollars."

And on motion of Mr. Burleson the amendment offered by Mr. Simpson was laid on the table.

And said Bill:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

As amended was read a third time at length and passed.

Yeas, 54; Nays, 6.

Yeas:

Messrs:

Mr. Speaker	Fite	Jones (Bullock)	Rogers (Mobile)
Adcock	Frey	Jones (Cleburne)	Sanders (Conecuh)
Allen	Goode	Jordan (Etowah)	Sanders (Pike)
Ashcraft	Goodwyn	Jordan (Washington)	Simpson
Baldwin	Graves	McAdory	Smith
Beebe	Grove	Miller (Sumter)	Stephens
Bryant	Gullatt	Mullen	Stewart (Calhoun)
Burleson	Guy	Nipper	Vickers
Burns	Hawkins	Norman	Ward (Geneva)
Carter	Hightower	Parish	Ward (Tuscaloosa)
Cockrell	Howard	Pitts	Ware
Cook	Hubbard	Rivers	Weldon
Darden	Hughes	Rogers (Elmore)	Winn
Denson	Johnson		

—54

Nays:

Messrs.:

Cannon	Edwards	Reeder	Stewart (Bibb)
Edmundson	Hollis		

—6

S. 271. To amend section 2984, Code 1923.

Was read a third time at length and passed.

Yeas, 75; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Baldwin	Burns	Cook
Adcock	Beebe	Carter	Darden
Allen	Bryant	Christian	Deloney
Ashcraft	Burleson	Cockrell	Denson

Edmundson	Johnson	Nipper	Smith
Edwards	Jones (Bullock)	Parish	Starnes
Frey	Jones (Cleburne)	Patterson	Stephens
Golson	Jordan (Etowah)	Pegues	Stewart (Calhoun)
Goode	Jordan (Washington)	Pitts	Thompson
Goodwyn	Lee	Reeder	Tompkins
Graves	Lovelace	Ringer	Tunstall
Green	Luck	Rivers	Vickers
Grove	McAdory	Rogers (Elmore)	Waddell
Guy	Martin	Rogers (Mobile)	Ward (Geneva)
Hawkins	Matthews	Sanders (Conecuh)	Ward (Tuscaloosa)
Hightower	Merrill	Sanders (Pike)	Ware
Hollis	Miller (Sumter)	Sanderson	Weldon
Howard	Monk	Shepherd	Winn
Hughes	Mullen	Simpson	

—75

S. 280. To amend Section 3183 of the Code of 1923.
 Was read a third time at length and passed.
 Yeas, 61; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Green	McAdory	Sanders (Pike)
Adcock	Grove	Martin	Sanderson
Allen	Guy	Matthews	Simpson
Ashcraft	Hawkins	Merrill	Smith
Baldwin	Hightower	Mullen	Starnes
Bryant	Hollis	Nipper	Stephens
Burns	Hughes	Parish	Stewart (Calhoun)
Christian	Jeter	Patterson	Tompkins
Cockrell	Johnson	Pegues	Tunstall
Darden	Jones (Bullock)	Pitts	Vickers
Denson	Jones (Cleburne)	Quillin	Ward (Geneva)
Edwards	Jordan (Etowah)	Reeder	Ward (Tuscaloosa)
Frey	Jordan (Washington)	Ringer	Ware
Golson	Lovelace	Rogers (Elmore)	Weldon
Goode	Luck	Rogers (Mobile)	Winn
Goodwyn			

—61

S. 171. To make an appropriation for the Equipment and Maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond, Virginia.

Was read a third time at length and passed.

Yeas, 63; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cockrell	Green	Johnson
Adcock	Cook	Grove	Jones (Cleburne)
Allen	Darden	Guy	Jordan (Etowah)
Ashcraft	Denson	Hightower	Jordan (Washington)
Baldwin	Edwards	Hollis	Lee
Bryant	Frey	Howard	Lovelace
Burns	Golson	Hughes	Luck
Christian	Goode	Jeter	McAdory

Martin	Quillin	Sanderson	Tunstall
Matthews	Reeder	Simpson	Waddell
Merrill	Ringer	Smith	Ward (Geneva)
Monk	Rivers	Starnes	Ward (Tuscaloosa)
Mullen	Rogers (Elmore)	Stephens	Ware
Nipper	Rogers (Mobile)	Stewart (Bibb)	Weldon
Parish	Sanders (Conecuh)	Stewart (Calhoun)	Winn
Patterson	Sanders (Pike)	Tompkins	

—63

S. 70. To amend Section 10327, 10328, and 10329 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 61; Nays, 10.

Yeas:

Messrs.:

Adcock	Goode	Luck	Sanderson
Allen	Goodwyn	McAdory	Shepherd
Ashcraft	Green	Martin	Shivers
Baldwin	Grove	Matthews	Simpson
Beebe	Gullatt	Merrill	Smith
Bryant	Guy	Miller (Sumter)	Starnes
Burns	Hightower	Morrow	Stewart (Calhoun)
Carter	Hollis	Mullen	Thompson
Christian	Hubbard	Patterson	Tunstall
Cockrell	Hughes	Pitts	Vickers
Cook	Jeter	Reeder	Waddell
Darden	Johnson	Rogers (Elmore)	Ward (Geneva)
Denson	Jones (Bullock)	Rogers (Mobile)	Ward (Tuscaloosa)
Edmundson	Jordan (Etowah)	St. John	Weldon
Frey	Lee	Sanders (Pike)	Winn
Golson			

—61

Nays:

Messrs.:

Mr. Speaker	Fite	Nipper	Stephens
Cannon	Jones (Cleburne)	Rivers	Stewart (Bibb)
Edwards	Jordan (Washington)		

—10

S. 220. To amend Section 10288 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 52; Nays, 20.

Yeas:

Messrs.:

Allen	Denson	Jeter	Miller (Sumter)
Ashcraft	Frey	Johnson	Monk
Baldwin	Golson	Jones (Bullock)	Morrow
Beebe	Goode	Jordan (Etowah)	Patterson
Burleson	Goodwyn	Jordan (Washington)	Pitts
Carter	Green	Lee	Reeder
Cockrell	Grove	Luck	Rogers (Elmore)
Cook	Gullatt	Martin	Rogers (Mobile)
Darden	Hubbard	Merrill	St. John

Sanders (Conecuh)	Smith	Tompkins	Ward (Geneva)
Sanders (Pike)	Starnes	Tunstall	Ward (Tuscaloosa)
Shivers	Stewart (Calhoun)	Vickers	Ware
Simpson	Thompson	Waddell	Weldon

—52

Nays:

Messrs.:

Mr. Speaker	Christian	Matthews	Quillin
Adcock	Edwards	Mullen	Ringer
Bryant	Frey	Nipper	Rivers
Burns	Hightower	Pegues	Stephens
Cannon	Hollis	Poole	Stewart (Bibb)

—20

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said amendment being as follows:

Amend Senate Bill No. 238 by striking out the words seven thousand dollars where they occur in said bill and insert in lieu thereof the words sixty five hundred dollars.

On motion of Mr. Tompkins the amendment reported by the Committee was laid upon the table.

And said Bill:

S. 238. To amend Section 7327 of the Code of Alabama, 1923
Was read a third time at length and passed.

Yeas, 58; Nays, 19.

Yeas:

Messrs:

Allen	Guy	Miller (Sumter)	Simpson
Ashcraft	Hawkins	Monk	Smith
Baldwin	Hubbard	Morrow	Starnes
Beebe	Hughes	Mullen	Stewart (Calhoun)
Burleson	Jeter	Parish	Thompson
Carter	Johnson	Patterson	Tompkins
Cockrell	Jones (Cleburne)	Pitts	Tunstall
Cook	Jordan (Etowah)	Reeder	Vickers
Darden	Jordan (Washington)	Rogers (Mobile)	Waddell
Denson	Lee	St. John	Ward (Geneva)
Goode	Lovelace	Sanders (Conecuh)	Ward (Tuscaloosa)
Goodwyn	Luck	Sanders (Pike)	Ware
Green	McAdory	Sanderson	Weldon
Grove	Martin	Shivers	Winn
Gullatt	Merrill		

—58

Nays:

Messrs.:

Mr. Speaker	Christian	Howard	Rivers
Adcock	Edwards	Matthews	Rogers (Elmore)
Bryant	Fite	Nipper	Stephens
Burns	Hightower	Poole	Stewart (Bibb)
Cannon	Hollis	Ringer	

—19

S. 449. To abolish the board of managers of the State Training School for Girls; to create a board of trustees in lieu thereof; to provide for their appointment and fix their terms of office.

Was read a third time at length and passed.

Yeas, 62; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Lovelace	Sanders (Conecuh)
Adcock	Goode	McAdory	Sanders (Pike)
Allen	Goodwyn	Matthews	Sanderson
Ashcraft	Green	Miller (Sumter)	Shivers
Baldwin	Grove	Monk	Simpson
Beebe	Gullatt	Mullen	Smith
Bryant	Hightower	Nipper	Stephens
Burleson	Hollis	Parish	Stewart (Calhoun)
Burns	Howard	Pegues	Thompson
Cannon	Hubbard	Pitts	Tompkins
Christian	Hughes	Reeder	Vickers
Cockrell	Jeter	Ringer	Ward (Geneva)
Cook	Johnson	Rivers	Ward (Tuscaloosa)
Durden	Jones (Cleburne)	Rogers (Elmore)	Weldon
Deloney	Jordan (Washington)	Rogers (Mobile)	Winn
Edwards	Lee		

—62

S. 450. To repeal Section 2999, Code of Alabama 1923.

Was read a third time at length and passed.

Yeas, 57; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Denson	Jordan (Etowah)	Rogers (Elmore)
Adcock	Edwards	Jordan (Washington)	Rogers (Mobile)
Allen	Frey	Lee	Sanders (Pike)
Ashcraft	Goode	McAdory	Shivers
Baldwin	Goodwyn	Matthews	Simpson
Beebe	Grove	Monk	Smith
Bryant	Hightower	Mullen	Stephens
Burleson	Hollis	Nipper	Stewart (Calhoun)
Burns	Howard	Parish	Ward (Geneva)
Cannon	Hubbard	Patterson	Ward (Tuscaloosa)
Christian	Jeter	Pitts	Ware
Cockrell	Johnson	Quillin	Webb
Cook	Jones (Bullock)	Reeder	Weldon
Darden	Jones (Cleburne)	Rivers	Winn
Deloney			

—57

Nay:—Mr. Morrow—1.

S. 513. To amend Section 3005 Code of Alabama 1923.

Was read a third time at length and passed.

Yeas, 58; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Merrill	Sanders (Conecuh)
Allen	Goodwyn	Miller (Sumter)	Sanders (Pike)
Ashcraft	Green	Morrow	Sanderson
Baldwin	Hightower	Mullen	Simpson
Beebe	Hollis	Parish	Thompson
Bryant	Howard	Patterson	Tunstall
Burleson	Hubbard	Pegues	Vickers
Burns	Jeter	Pitts	Waddell
Cannon	Johnson	Quillin	Ward (Geneva)
Carter	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Christian	Jordan (Washington)	Ringer	Ware
Cockrell	Lee	Rivers	Webb
Denson	Lovelace	Rogers (Elmore)	Weldon
Edwards	Luck	Rogers (Mobile)	Winn
Frey	Matthews		

—58

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebroke Agricultural Experiment Station and to provide for the distribution of the property thereof.

Was read a third time at length and passed.

Yeas, 63; Nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	Martin	Sanders (Conecuh)
Allen	Green	Matthews	Sanders (Pike)
Ashcraft	Grove	Merrill	Sanderson
Baldwin	Gullatt	Miller (Sumter)	Shepherd
Beebe	Hightower	Monk	Simpson
Bryant	Hollis	Mullen	Stewart (Bibb)
Burleson	Howard	Nipper	Stewart (Calhoun)
Burns	Hubbard	Parish	Thompson
Cannon	Hughes	Pegues	Tompkins
Christian	Jeter	Pitts	Vickers
Darden	Johnson	Quillin	Ward (Geneva)
Edwards	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Fite	Jones (Clebune)	Ringer	Webb
Frey	Jordan (Washington)	Rivers	Weldon
Golson	Lee	Rogers (Elmore)	Winn
Goode	Lovelace	Rogers (Mobile)	

—63

S. 415. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 59; Nays, 0.

Yeas:

Messrs.:

Adcock	Bryant	Christian	Deloney
Allen	Burleson	Cockrell	Denson
Ashcraft	Burns	Cook	Edwards
Baldwin	Cannon	Darden	Frey

Goode	Jordan (Etowah)	Mullen	Stephens
Goodwyn	Jordan (Washington)	Parish	Stewart (Calhoun)
Green	Lovelace	Patterson	Thompson
Grove	Luck	Pitts	Tunstall
Hawkins	McAdory	Rogers (Elmore)	Vickers
Hightower	Martin	Rogers (Mobile)	Waddell
Hollis	Matthews	St. John	Ward (Geneva)
Hubbard	Merrill	Sanders (Pike)	Ward (Tuscaloosa)
Jeter	Miller (Sumter)	Sanderson	Ware
Johnson	Monk	Simpson	Weldon
Jones (Bullock)	Morrow	Starnes	

—59

S. 112. To define the crime of arson and attempt to commit arson and to fix punishment therefor; to repeal sections 3289, 3290, 3291, 3293, 3294 of the Code of Alabama of 1923, and all laws and parts of laws in conflict with the provisions of this Act.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary. Said substitute being as follows:

SUBSTITUTE FOR SENATE BILL 112

S. 112. A Bill to be entitled an Act, to amend Section 3289, 3290, 3291, 3292, 3293 and 3294 of the Code of Alabama, relating to the crime of arson and attempt to commit arson.

Be it Enacted by the Legislature of Alabama:

That Sections 3289, 3290, 3291, 3293 and 3294 of the Code of Alabama be amended so as to read as follows:

Section 3289. Arson in the first Degree. Any person who willfully sets fire to or burns, or causes to be burned, or who aids or procures the burning of any dwelling house, or any kitchen, shop, barn, stable, or other out house within the curtilage of such dwelling house, the property of another; or any person who, with intent to defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any dwelling house, kitchen, shop, barn, stable or other outhouse within the curtilage of such dwelling house, the property of himself, shall be guilty of arson in the first degree, and must, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than two nor more than twenty years; provided said arson shall not produce the death or maiming of any person, but, if the said arson shall produce the death or maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury. The following form of indictment (caption, commencement and conclusion to be supplied as provided by Section 4556 of the Code) shall be sufficient under this Section: A. B. willfully set fire to, or burned or caused to be burned, or aided or procured the burning (as the case may be) a dwelling house (or other building describing it), the property of C. D.; or with intent to defraud set fire to or burned, or

caused to be burned, or aided or procured the burning of a dwelling house (or other house within the curtilage of such dwelling house) the property of himself; (if it is alleged that said arson has produced the death or maiming of any person, this allegation shall be added).

Section 3290. Arson in the Second Degree. Any person who willfully sets fire to, or burns or causes to be burned, or who aids or procures the burning of any barn, stable or other building, the property of another, not within the curtilage of a dwelling; or any shop, store, warehouse, store house, factory, mill, or other building, the property of another; or any church, meeting house, court house, work house, school, jail, or other public building, or any public bridge; or any cotton house, gin house, seed house, garage or crib, or any steam boat or vessel, or any railroad coach or car, or any street car, car, car shed, the property of another; or any person who with intent to defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any of the property named in this section, belonging to himself, shall be guilty of arson in the second degree, and must, on conviction thereof, be punished by imprisonment in the penitentiary for not less than two nor more than ten years; provided, the arson shall not produce death or maiming of any person, but if the said arson shall produce death or the maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury. The following form of indictment (caption, commencement and conclusion to be supplied as provided by Section 4556 of the Code) shall be sufficient under this Section: A. B. willfully set fire to or burned, or caused to be burned, or aided or procured the burning (as the case may be) a stable (or other building) the property of C. D., not within the curtilage of a dwelling; or a shop (or other building) the property of another; or, with intent to defraud, set fire to or burned, or caused to be burned, or aided or procured the burning of (any of the property named in this section) belonging to himself; (if it is alleged that said arson has produced the death or maiming of any person, this allegation shall be added.)

Section 3291. Attempts to Commit Arson. An attempt to commit arson, in either the first, second or third degree, is a felony punishable on conviction by imprisonment in the penitentiary for not less than one nor more than two years.

Section 3292. Sufficiency of Indictment for Attempt to Commit Arson. An indictment for an attempt to commit arson is sufficient if it alleges that the person charged "did attempt to willfully" (here set out the further elements of the offense charged in the same manner as provided for arson in the first, second and third degrees).

Section 3293. Arson in the Third Degree. Any person who willfully sets fire to, or burns or causes to be burned, or who aids or procures the burning of any barracks, crib, rick, or stack of hay, or any cotton pen containing cotton, or corn crib, or corn pen containing corn, wheat, oats, barley or other grains, or vegetable products of any kind, or any automobile, motor truck, or other motor vehicle, or any other personal property not specifically named herein, such property being of the value of twenty-five dollars or more, the property of another; or any person who, with intent to defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any of the property named in this section, the property of himself, shall be guilty of arson in the third degree, and must, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than one nor more than five years. The following form of indictment (caption, commencement and conclusion to be supplied as provided by Section 4556 of the Code) shall be sufficient under this section: A. B. willfully set fire to, or burned or caused to be burned, or aided or procured the burning (as the case may be) a crib, (or other building describing it), of the value of twenty-five dollars or more, the property of C. D.; or with intent to defraud set fire to or burned, or caused to be burned, or aided or procured the burning of a crib (or other property named in this section) the property of himself.

Section 3294. Burning Insured Property—Arson Third Degree. Any person who willfully, or with intent to charge, injure or defraud the insurer, sets fire to or burns, or causes to be burned, or who aids or procures the burning of any goods, wares, merchandise or chattels, or personal property of any kind, the property of himself or another, which shall at the time be insured by any person, firm or corporation against loss or damage by fire, shall be guilty of arson in the third degree, and must, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than one nor more than five years. The following form of indictment (caption, commencement and conclusion to be supplied as provided by Section 4556 of the Code) shall be sufficient under this section: A. B. willfully or with intent to charge, injure or defraud the insurer set fire to (or burned or caused to be burned, or aided or procured the burning, as the case may be) the following personal property: (Here describe it) the property of himself, or of C. D., which property was at the time insured against loss or damage by fire.

And the substitute reported by the Standing Committee on Judiciary was adopted.

Yeas, 61; Nays, 2.

Yeas:

Messrs:

Adcock	Edmundson	Jones (Bullock)	Rogers (Elmore)
Allen	Edwards	Jones (Cleburne)	Rogers (Mobile)
Anderson	Frey	Jordan (Washington)	Sanders (Pike)
Ashcraft	Golson	Lee	Simpson
Baldwin	Goode	McAdory	Stephens
Beebe	Goodwyn	Martin	Stewart (Bibb)
Bryant	Green	Merrill	Thompson
Burns	Gullatt	Mullen	Tompkins
Byars	Hawkins	Nipper	Vickers
Cannon	Hightower	Norman	Waddell
Christian	Hollis	Parish	Ward (Tuscaloosa)
Cockrell	Howard	Patterson	Ware
Cook	Hubbard	Pitts	Webb
Darden	Jeter	Reeder	Weldon
Deloney	Johnson	Rivers	Winn
Denson			

—61

Nays:—Messrs. Quillin and Ringer—2.

And said Bill:

S. 112. To define the crime of arson and attempt to commit arson and to fix punishment therefor; to repeal Sections 3289, 3290, 3291, 3293, 3294, of the Code of Alabama of 1923, and all laws and parts of laws in conflict with the provisions of this Act.

As amended by the substitute was read a third time at length and passed.

Yeas, 53; Nays, 1.

Yeas:

Messrs:

Adcock	Darden	Jones (Bullock)	Rogers (Mobile)
Allen	Denson	Jones (Cleburne)	St. John
Anderson	Edwards	Jordan (Washington)	Sanders (Pike)
Ashcraft	Goode	Lee	Simpson
Baldwin	Goodwyn	Lovelace	Stephens
Beebe	Green	Martin	Stewart (Bibb)
Bryant	Grove	Merrill	Tompkins
Burleson	Gullatt	Miller (Sumter)	Vickers
Burns	Hawkins	Norman	Waddell
Cannon	Hightower	Parish	Ward (Tuscaloosa)
Carter	Hollis	Patterson	Ware
Christian	Jeter	Pitts	Webb
Cockrell	Johnson	Reeder	Weldon
Cook			

—53

Nay:—Mr. Quillin—1.

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper and unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

Was read a third time at length and passed.

Yeas, 56; Nays, 2.

Yeas:

Messrs.:

Mr. Speaker	Denson	Johnson	Rogers (Elmore)
Adcock	Edwards	Jones (Bullock)	Rogers (Mobile)
Ashcraft	Fite	Jordan (Etowah)	Sanders (Pike)
Baldwin	Frey	Jordan (Washington)	Shepherd
Beebe	Golson	Lee	Shivers
Brunson	Goode	Matthews	Simpson
Bryant	Green	Mullen	Stewart (Calhoun)
Burleson	Grove	Nipper	Vickers
Burns	Hightower	Norman	Waddell
Cannon	Hollis	Parish	Ward (Tuscaloosa)
Carter	Howard	Patterson	Ware
Christian	Hubbard	Pitts	Webb
Cockrell	Hughes	Reeder	Weldon
Cook	Jeter	Rivers	Winn

—56

Nays:—Messrs. Anderson and Quillin—2.

S. 519. To make appropriation for the erection on the battle-field at Gettysburg for a monument in perpetuation of the soldiers from Alabama.

Was read a third time at length and passed;

Yeas, 64; Nays, 4.

Yeas:

Messrs.:

Mr. Speaker	Golson	Jordan (Washington)	Ringer
Adcock	Goode	Lee	Rogers (Elmore)
Allen	Goodwyn	Martin	Sanders (Pike)
Anderson	Graves	Matthews	Sanderson
Baldwin	Green	Merrill	Simpson
Beebe	Grove	Miller (Sumter)	Stephens
Burleson	Gullatt	Morrow	Stewart (Calhoun)
Christian	Hawkins	Mullen	Thompson
Cockrell	Hightower	Nipper	Tompkins
Cook	Howard	Norman	Tunstall
Darden	Hubbard	Parish	Vickers
Deloney	Jeter	Patterson	Waddell
Denson	Johnson	Pegues	Ward (Tuscaloosa)
Edwards	Jones (Bullock)	Pitts	Ware
Fite	Jones (Cleburne)	Poole	Webb
Frey	Jordan (Etowah)	Reeder	Winn

—64

Nays:

Messrs.:

Cannon	Hollis	Rogers (Mobile)	Stewart (Bibb)
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—4

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

Was taken up.

Mr. Darden offered the following amendment to the bill, S. 221:

Amend Senate Bill 221 by adding the following Section:

Sec. 11½. In addition to the duties now required by law of county or deputy solicitors to perform, they are hereby required after the passage and approval of this Act to advise the game wardens of the State and forest rangers in their work in their respective counties, and to prepare all necessary official or legal papers for them, all without charge.

And on motion of Mr. Tompkins the amendment offered by Mr. Darden was laid on the table.

Mr. Luck offered the following amendment to the bill:

Amend Senate Bill No. 221 by adding at the close of paragraph or Section 1, the following: having a population of twenty thousand or more according to the last or any subsequent Federal Census.

And on motion of Mr. Lee the amendment offered by Mr. Luck was laid on the table.

And said Bill:

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 48; Nays, 28.

Yeas:

Messrs.:

Adcock	Guy	Martin	Rogers (Elmore)
Beebe	Hawkins	Merrill	Rogers (Mobile)
Bryant	Hollis	Miller (Sumter)	Sanderson
Burleson	Hubbard	Morrow	Smith
Carter	Hughes	Mullen	Stewart (Calhoun)
Denson	Jeter	Nipper	Tunstall
Frey	Jones (Cleburne)	Parish	Vickers
Goode	Jordan (Etowah)	Patterson	Ward (Geneva)
Goodwyn	Lee	Pegues	Ware
Green	Lovelace	Pitts	Webb
Grove	Luck	Ringer	Weldon
Gullatt	McAdory	Rivers	Winn

—48

Nays:

Messrs.:

Mr. Speaker	Cook	Jordan (Washington)	Sanders (Pike)
Anderson	Deloney	Matthews	Shepherd
Ashcraft	Edwards	Monk	Starnes
Brunson	Fite	Norman	Stephens
Burns	Hightower	Quillin	Stewart (Bibb)
Cannon	Howard	Reeder	Tompkins
Christian	Jones (Bullock)	Sanders (Conecuh)	Ward (Tuscaloosa)

—28

MESSAGE FROM THE GOVERNOR

To The Legislature of Alabama,
Gentlemen:

I return herewith to the House of Representatives, the body in which it originated, House Bill No. 481 without my approval.

The reason for my disapproval is that the salary increase made therein is beyond that recommended by the Budget Commission, and is out of line with the salaries of other employees in the Capitol doing the same character of work. The Budget Commission was assured by the Chief Justice that the salary now fixed is commensurate with the service rendered.

Respectfully,
Bibb Graves.
Governor.

The question was shall the Bill, H. 481 pass the Governor's veto to the contrary notwithstanding. And the House refused to pass the Bill, H. 481 over the veto of the Governor.

Yeas, 17; Nays, 63.

Yeas:

Messrs.:

Baldwin	Goodwyn	Martin	Simpson
Beebe	Green	Morrow	Vickers
Carter	Lee	Rogers (Mobile)	Waddell
Denson	Lovelace	Sanderson	Winn
Edmundson			

—17

Nays:

Messrs:

Mr. Speaker	Fite	McAdory	Rogers (Elmore)
Adcock	Frey	Matthews	Sanders (Pike)
Allen	Golson	Miller (Sumter)	Shepherd
Anderson	Goode	Monk	Shivers
Brunson	Gullatt	Mullen	Smith
Bryant	Guy	Nipper	Starnes
Burleson	Hawkins	Norman	Stephens
Burns	Hightower	Parish	Stewart (Bibb)
Byars	Hollis	Patterson	Thompson
Cannon	Howard	Pegues	Tunstall
Christian	Hubbard	Pitts	Ward (Geneva)
Cockrell	Hughes	Poole	Ward (Tuscaloosa)
Cook	Jones (Bullock)	Quillin	Ware
Darden	Jones (Cleburne)	Reeder	Webb
Deloney	Jordan (Washington)	Ringer	Weldon
Edwards	Lawler	Rivers	

—63

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill Number 836 without my approval. I suggest the following Executive amendment, which, if concurred in will remove objection to the Bill.

Strike from Section 1 of said bill the words "with the approval of the Governor".

My reason for requesting this amendment is that the bill is subject to interpretation that the compensation of the members of the court of county commissioners could not be paid until approved by me.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Norman the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 836. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hightower	Nipper	Smith
Anderson	Howard	Norman	Starnes
Ashcraft	Hubbard	Owens	Stephens
Baldwin	Hughes	Powell	Stewart (Bibb)
Bartlett	Jeter	Quillin	Stewart (Calhoun)
Burns	Johnson	Reeder	Thompson
Byars	Jones (Bullock)	Ringer	Tompkins
Christian	Jordan (Washington)	Rivers	Tunstall
Darden	Lovelace	Rogers (Elmore)	Vickers
Deloney	McAdory	Rogers (Mobile)	Waddell
Denson	Matthews	Sanders (Conecuh)	Ward (Geneva)
Edmundson	Merrill	Sanders (Pike)	Ward (Tuscaloosa)
Edwards	Miller (Sumter)	Sanderson	Ware
Frey	Monk	Shepherd	Webb
Golson	Morrow	Shivers	Weldon
Hampton	Mullen	Simpson	Winn
Hawkins			

—65

Which was a majority of the whole number elected to the House and said Bill:

H. 836. To fix the compensation of the members of the Court of county commissioners for Bullock County, Alabama, and to regulate the payment thereof.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Howard	Morrow
Adcock	Fite	Hubbard	Mullen
Allen	Frey	Hughes	Nipper
Bartlett	Golson	Jeter	Norman
Beebe	Goode	Johnson	Parish
Brunson	Goodwyn	Jones (Bullock)	Patterson
Bryant	Graves	Jones (Cleburne)	Pegues
Burleson	Green	Jordan (Etowah)	Pitts
Cannon	Grove	Jordan (Washington)	Reeder
Carter	Gullatt	Lawler	Ringer
Christian	Guy	Lovelace	Rogers (Elmore)
Cockrell	Hampton	Luck	Stephens
Cook	Harwood	Martin	Stewart (Bibb)
Darden	Hawkins	Merrill	Stewart (Calhoun)
Deloney	Hightower	Miller (Sumter)	Waddell
Denson	Hollis	Monk	Wallace
Edmundson			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To The Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated House Bill No. 387 without my approval. I suggest the following executive amendment, which if concurred in by the Legislature of Alabama, will remove my objection to the Bill:

Amend Section two (2) of said Bill so as to read as follows:

"Section 2. Two of said sub-agricultural experiment stations may be established during the fiscal year beginning October 1st, 1927 and ending September 30th, 1928, and three during the fiscal year beginning October 1st, 1928, and ending September 30th, 1929. If for any reason said sub-agricultural experiment stations are not established within the period heretofore named the same may be established at any subsequent time. No sub-agricultural experiment station shall be located in any region herein named until a suitable area, comprising not less than two hundred (200) acres of cultivatable land is donated to the Alabama Polytechnic Institute on which to carry out the purposes of this Act. The Alabama Polytechnic Institute shall be vested with a fee simple title thereto, which shall be approved by the Attorney General and the suitability of said lands for the purpose of this Act shall be approved by the Commission hereinafter named."

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Sanders of Pike the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 387. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 67; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Lee	Sanderson
Adcock	Edwards	Merrill	Simpson
Allen	Fite	Miller (Sumter)	Smith
Anderson	Goode	Monk	Starnes
Ashcraft	Goodwyn	Morrow	Stephens
Baldwin	Graves	Mullen	Stewart (Bibb)
Beebe	Grove	Parish	Stewart (Calhoun)
Brunson	Gullatt	Pegues	Thompson
Bryant	Hightower	Pitts	Tompkins
Burleson	Hollis	Powell	Waddell
Burns	Howard	Reeder	Ward (Geneva)
Cannon	Hubbard	Ringer	Ward (Tuscaloosa)
Cockrell	Jeter	Rivers	Ware
Cook	Johnson	Rogers (Elmore)	Webb
Darden	Jones (Bullock)	Rogers (Mobile)	Weldon
Deloney	Jones (Cleburne)	St. John	Winn
Denson	Jordan (Etowah)	Sanders (Pike)	

Which was a majority of the whole number elected to the House and said Bill:

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 56; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Darden	Jordan (Washington)	Shepherd
Adcock	Edwards	Lee	Simpson
Allen	Fite	Lovelace	Smith
Anderson	Goode	Miller (Sumter)	Starnes
Ashcraft	Goodwyn	Mullen	Stephens
Baldwin	Green	Parish	Stewart (Bibb)
Beebe	Gullatt	Pitts	Stewart (Calhoun)
Brunson	Hawkins	Poole	Tompkins
Bryant	Hightower	Reeder	Waddell
Burns	Hollis	Ringer	Ward (Geneva)
Carter	Hughes	Rogers (Elmore)	Ware
Christian	Johnson	Rogers (Mobile)	Webb
Cockrell	Jones (Bullock)	Sanders (Pike)	Weldon
Cook	Jones (Clebune)	Sanderson	Winn

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill Number 989 without my approval.

I suggest the following executive amendment, which, if concurred in by the Legislature of Alabama, will remove any objection to the Bill:

Amend House Bill 989, Section 5 thereof, so as to read as follows:

Section 5. All of what is known as the gasoline fund received by Greene County by virtue of the provisions of Section 83 of an Act approved August 22, 1923 (Acts 1923-Page 197) is hereby set aside as a special fund to be used only in the construction, repair, and maintenance of said secondary highway system. There shall also be available for such construction all other funds in the County now available for public road and bridge work.

Amend Section 6 by striking therefrom the words, "Three-fourths of what is known as the gasoline fund, or "where they occur together therein.

Respectfully,
Bibb Graves,
Governor.

August 30, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Cook the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 989. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Golson	Jordan (Washington)	Poole
Adcock	Goode	Lee	Powell
Anderson	Goodwyn	Lovelace	Quillin
Ashcraft	Graves	Luck	Reeder
Baldwin	Green	Martin	Ringer
Bartlett	Grove	Matthews	Rivers
Beebe	Gullatt	Merrill	Rogers (Elmore)
Brunson	Guy	Miller (Marengo)	Rogers (Mobile)
Bryant	Hampton	Miller (Sumter)	St. John
Burns	Harwood	Molette	Sanders (Conecuh)
Byars	Hawkins	Nipper	Sanders (Pike)
Cannon	Hightower	Norman	Sanderson
Carter	Johnson	Owens	Shepherd
Cook	Jones (Bullock)	Patterson	Stewart (Bibb)
Edmundson	Jones (Cleburne)	Pegues	Thompson
Edwards	Jordan (Etowah)	Pitts	Tunstall
Frey			

—65

Which was a majority of the whole number elected to the House.

And said Bill:

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Anderson	Golson	Jeter	Norman
Ashcraft	Goode	Johnson	Owens
Baldwin	Goodwyn	Jones (Bullock)	Parish
Bartlett	Graves	Lovelace	Patterson
Beebe	Green	Luck	Pegues
Brunson	Grove	McAdory	Pitts
Bryant	Gullatt	Martin	Poole
Christian	Guy	Matthews	Powell
Cockrell	Hampton	Merrill	Quillin
Cook	Harwood	Miller (Marengo)	Reeder
Darden	Hawkins	Miller (Sumter)	Ringer
Deloney	Hightower	Molette	Shepherd
Denson	Hollis	Monk	Ware
Edmundson	Howard	Morrow	Webb
Edwards	Hubbard	Mullen	Weldon
Fite	Hughes	Nipper	Winn
Frey			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill 88 without my approval. I suggest the following amendment to the bill, which, if concurred in, will remove my objection to the bill.

Amend Section 2 so as to read as follows: Section 2. That the money hereby appropriated shall be paid for the purposes enumerated in Section 1 upon the drafts of the Superintendent of the Alabama Home on the State Treasury, approved by the Governor; provided, that One Hundred Thousand Dollars of said appropriation shall be available during the fiscal year 1927-1928 when, in the opinion of the Governor the condition of the Treasury shall warrant, said appropriation to be paid when approved by the Governor; provided further, that the balance of said appropriation shall be available when in the opinion of the Governor the condition of the Treasury shall warrant, and with his approval. If all or any part of the ap-

appropriation made herein remain unpaid such balance shall be and remain in full force and effect until paid in full in the manner herein provided.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Ward of Tuscaloosa the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 88. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 63; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Lee	Rogers (Mobile)
Adcock	Fite	Lovelace	Sanders (Conecuh)
Anderson	Golson	Matthews	Sanders (Pike)
Ashcraft	Goode	Miller (Sumter)	Sanderson
Baldwin	Goodwyn	Mullen	Shivers
Brunson	Green	Nipper	Simpson
Bryant	Grove	Parish	Smith
Burleson	Hampton	Patterson	Starnes
Burns	Hightower	Pegues	Stephens
Cannon	Hollis	Pitts	Thompson
Christian	Howard	Poole	Tompkins
Cockrell	Hubbard	Powell	Ward (Tuscaloosa)
Darden	Hughes	Quillin	Ware
Deloney	Johnson	Reeder	Weldon
Denson	Jones (Cleburne)	Rivers	Winn
Edmundson	Jordan (Washington)	Rogers (Elmore)	

—63

Which was a majority of the whole number elected to the House.

And said Bill:

H. 88. To appropriate two hundred and fifty-five thousand (\$255,000.00) Dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

As amended by the amendment proposed by the Governor, was again read a third time at length and passed.

Yeas, 59; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Burns	Graves	Johnson
Adcock	Cockrell	Green	Jones (Cleburne)
Allen	Cook	Grove	Jordan (Washington)
Anderson	Edwards	Gullatt	Lee
Beebe	Fite	Hampton	Matthews
Brunson	Frey	Hightower	Miller (Sumter)
Bryant	Goode	Howard	Mullen
Burleson	Goodwyn	Hubbard	Nipper

Parish	Ringer	Simpson	Waddell
Patterson	Rivers	Smith	Ward (Geneva)
Pegues	Rogers (Elmore)	Stephens	Ward (Tuscaloosa)
Pitts	Rogers (Mobile)	Stewart (Bibb)	Ware
Poole	Sanders (Conecuh)	Thompson	Webb
Quillin	Sanders (Pike)	Tompkins	Weldon
Reeder	Sanderson	Tunstall	

—59

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills, and returns same herewith to the House:

H. 1149. Relating to the government and control by civil service regulations of the Police and Fire Departments in all cities of the State of Alabama having a population of 100,000 or more, according to the last or any succeeding Federal census, and relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House Amendment to the following Senate Bill:

S. 157. To amend Section 6 of an Act entitled An Act, "To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors, approved September 17, 1923.

And said bill, S. B. 157, as thus amended by the Report of the Committee of Conference, was again read a third time at length and passed by the Senate.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 844. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 20; nays, 0.

And said bill, H. B. 844, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas, 21; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 6. To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041, Code of Alabama of 1923 relating to Geological Survey.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 21; nays, 0.

And said bill, H. B. 6, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas, 24; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 341. To provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; and to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 22; nays, 0.

And said bill, H. 341, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas, 20; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House amendment to the bill:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 114. To regulate the feeding of prisoners in county jails and to provide for the manner of payment for the feeding of such prisoners.

Committee on the part of the Senate Messrs. Justice, Oliver and Ellis of Shelby.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker :

The Senate has passed the following House Bills and returns same herewith to the House :

H. 751. To provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the general election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same.

H. 1073. To fix the compensation of the members of the court of county commissioners, board of revenue or such other governing body of Elmore County, Alabama.

H. 575. For the relief of S. M. Reeves, former Sheriff of Pike County, Alabama.

H. 956. To repeal An Act entitled "An Act to establish the Inferior Court of York Beat, Precinct No. 6 in Sumter County, Alabama, in lieu of all Justices of the Peace therein including the Notary Public Ex-officio Justice of the Peace therein to be called the Inferior Court of York and to provide that all of the State's laws which are general shall apply to York Precinct No. 6 of Sumter County, Alabama, as to Justices of the Peace and Notary Public Ex-Officio Justice of the Peace and to provide for the transfer of all cases now on the docket of the said Inferior Court to the Justices of the Peace Court to be established."

H. 1142. To provide for the establishment and creation of a Waterworks Commission for the City of Phoenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office; to prescribe their qualifications: To prescribe their oath of office: To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said commission: To fix the bond of the clerk and treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission: To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: to provide a seal for said Commission: to provide that said Commission may make temporary loans; to provide for an attorney for said Commission: To provide for the establishment of an office by said Com-

mission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said city of Phoenix City, and to repeal all laws in conflict herewith.

H. 1129. To amend Section 6 of an act entitled an act to enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said court, approved September 20, 1923, to increase the salary of the Deputy Clerk and Register of said Court to Nine Hundred Dollars per annum, and to increase the salary of the Deputy Sheriff of said Court at Alexander City to Fifteen Hundred Dollars per annum.

H. 1110. Authorizing the Court of County Commissioners or other governing Board of Wilcox County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

H. 1013. To create the office of County Solicitor of Lawrence County, Alabama, to provide for the election of such officer by the qualified voters of said County to prescribe his powers duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

H. 1035. A Bill to be entitled an Act to provide for and submit to the qualified electors of the State of Alabama at an election to be held at the next general election, after the final adjournment of the present session of the Legislature, an amendment to the constitution of Alabama as follows:

"The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1: That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held at the next general election after the final adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of

Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3: That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of the State of Alabama:" "The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of charity hospital or hospitals for the care and treatment of indigent persons.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross-mark made by him, or under his direction, opposite the word expressing his desire.

Section 4: That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held under and in all things governed by and had in accordance with the Constitutional provisions touching amendments to the Constitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and returns made to the Secretary of State in the same manner as in elections of representatives to the legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7: The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expenses of general elections are paid.

H. 963. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama authorizing the County of Jefferson, in addition to the taxes which it is now authorized and empowered to levy and collect, to levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis.

Be it enacted by the Legislature of Alabama:

Section 1. That the following Amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed Amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this Amendment is proposed. The proposed Amendment is to add a new section as follows:

ARTICLE XI.

Section 215-A. In addition to the taxes which the County of Jefferson is now authorized and empowered to levy and collect, said County, through its Board of Revenue or other governing body, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for state taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis. This Section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each county of the State once a week for eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

H. 471. A bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of the State of Alabama increasing the amount of taxes which may be levied by the respective governing bodies of the following municipal corporations, viz: Attalla, Alexander City, Albertville, Arab, Boaz, Bridgeport, Gadsden, Eufaula, Louisville, Union Springs, Jasper, Altoona and Guntersville, and Decatur, and Sylacauga, and Clanton.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) That the municipality of the City of Gadsden, through its governing body, in addition to the taxes which it is by any other provision of the Constitution or any amendment thereto otherwise authorized to levy and collect, may levy and collect from and after the adoption of this amendment, an additional tax of not exceeding one-half of one percentum per annum in such amounts and to be devoted to such purposes as may be designated by the governing body of said municipality and voted for by a majority of the qualified electors voting upon such proposition at an election called by the governing body of said municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half percentum in any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(b) That the municipalities of Bridgeport, Arab, Boaz, Clanton, Albertville and Guntersville, through their respective governing bodies, in addition to the taxes which each of such

municipalities is, by any other provision of the Constitution or any amendment thereto, otherwise authorize, levy and collect, may levy and collect from and after the date of the adoption of this amendment an additional tax of not exceeding one percentum per annum, in such amounts and to be devoted to such purposes as may be designated by their respective governing bodies and voted for by a majority of the qualified electors of such municipality voting upon such proposition at an election called by the governing body of such municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half per centum in any one year on property situated therein, based on the valuation of such property as assessed for state taxation.

(c) That the municipalities of Attalla, Alexander City, Decatur, Sylacauga, Eufaula, Louisville, Union Springs, Jasper and Altoona, through their respective governing bodies, may levy and collect, from and after the date of this amendment, a tax of not exceeding one-half of one per centum per annum; and that for the purpose of paying interest and principal when due of bonds and indebtedness issued and outstanding at the time of the adoption of this amendment, or hereafter issued or incurred, an additional tax of one half of one percentum may be levied and collected by the respective governing bodies of each of said municipalities; and provided further that a majority of the qualified electors of any of said municipalities voting upon such proposition at an election called by such municipality for that purpose may vote a special tax not to exceed one-half of one percentum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which the same is levied or collected. Provided that the total taxes levied for all purposes shall not exceed one and one-half (1½%) percentum during any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(d) That the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority or right of any municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon it, under the Constitution or any amendment thereto.

(e) Each election held under the provisions of this amendment shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such elections shall contain the words: "For authorization of additional taxation at rate not to exceed per cent for the year (or years)..... for the purpose or purposes of....." and "Against authorization of additional taxation at rate not to

exceed..... per cent for the year (or years).....
 for the purpose or purposes of.....” The rate
 of taxation proposed shall be printed upon the ballot in the space
 indicated therefor, and the year or years in which the proposed
 rate is to apply, and the purpose or purposes for which such tax
 is to be used, shall be like-wise printed in the respective spaces
 therefor. The voter shall record his choice either for or against
 authorization of the proposed rate for the proposed purpose or
 purposes by placing a cross mark before or after the words ex-
 pressing his choice. Nothing herein contained shall in any wise
 change or affect the rights of any holder of bonds of said munici-
 pal corporations heretofore issued. Elections in each of said munici-
 palities to authorize the levy of such special tax may be held
 as often as ordered by the governing body thereof, but when a
 proposition is submitted to the electors of either of said munici-
 palities for authorization to levy a special tax for a specific pur-
 pose and such proposition is defeated, no second election for the
 same purpose shall be held in such municipality within one year
 thereafter. This amendment shall be self-operative without any
 additional legislation.

Section 2. That notice of the election hereby ordered togeth-
 er with the amendment hereby proposed shall be given by a
 proclamation of the governor which shall be published in one
 newspaper once a week in each county in the State for at least
 eight successive weeks next preceding the day hereby appointed
 for such election.

Section 3. The expenses of the election herein provided for
 and the cost of the publication of the notices shall be paid out of
 the State Treasury in the same manner as the expenses of other
 elections are paid.

H. 818. A Bill to be entitled an Act to propose an amendment
 to the Constitution of Alabama to permit certain school districts
 in Dale County to levy and collect for school purposes a tax of
 ten mills in addition to all taxes now authorized.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitu-
 tion of Alabama is hereby proposed, to wit: Midland City
 School District No. 15 in Dale County, Ariton School District No.
 50 in Dale County, shall each have the right and power by a ma-
 jority vote of the qualified electors of such districts voting at an
 election held for that purpose to levy and collect for public
 school purposes including the payment of indebtedness a tax not
 to exceed ten mills any one year in addition to all other taxes
 now authorized by law. The election in such districts to deter-
 mine whether or not such tax shall be levied shall be called, held
 and conducted as now provided by law for calling and conduct-
 ing an election to determine whether or not the three mill dis-

trict school tax shall be levied and collected, and the laws governing the handling and the expenditure of the proceeds of the ten mill tax herein provided for shall be in all respects in accordance with the law governing the handling and the expenditure of the three mill district school tax.

Section 2. This Amendment shall be submitted to the qualified voters of the State at the General Election to be held in 1928.

H. 180. A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing and regulating the levying of additional taxes by Jackson School District No. 72, Clarke County, Alabama, and all other School Districts of Clarke County which have been or may hereafter be consolidated with said Jackson School District No. 72.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) The Jackson School District No. 72, of Clarke County, Alabama, and all other School Districts of Clarke County which have been or which may hereafter be consolidated with said Jackson School District may levy and collect a tax not exceeding fifty cents on each one hundred dollars worth of taxable property in such School Districts, for the purpose:

1. Of paying or refunding of outstanding bonds of the town of Jackson, Clarke County, Alabama, which have been heretofore issued for the erection and equipment of the public school buildings in said town; and

2. After the payment of such bonds then for public school purposes within such districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected, and voted for by a majority of those voting upon such proposition at such election.

(b) After such tax shall have been voted for and is being levied and collected by said Jackson School District No. 72 and the districts which have been consolidated therewith, no other district may consolidate with said Jackson District until

such district so consolidating with said Jackson District shall have also voted a tax of like amount and with like expiration date, as shall have been voted by the districts which are then levying and collecting the tax provided for by paragraph (a) hereof.

(c) The election for such tax shall be proposed, called, held and the vote canvassed and the results declared and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the third amendment to this Constitution.

(d) The tax hereby authorized shall be in addition to any and all other taxes now authorized by law, and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made by reason of the tax hereby authorized.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

H. 627. To fix the compensation of tax assessors, in counties of more than one hundred thousand population and less than one hundred and fifty thousand population, according to the last Federal census or any subsequent Federal census, for assessing special county and district taxes now or hereafter levied for public school purposes.

H. 628. To fix the compensation of tax collectors in counties of more than one hundred thousand population and less than one hundred and fifty thousand population according to the last Federal census or any subsequent Federal census, for collecting special county and district taxes now or hereafter levied for public school purposes.

H. 1158. To fix the salary of the Deputy Solicitor for Lowndes County Alabama.

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An Act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by The Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands,

buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of article 20 of chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amendatory thereof, entitled 'An Act to amend sections 1861, 1862 and 1863 of the Code of Alabama.'

H. 1138. To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now authorized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

H. 1145. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, all the jurisdiction, powers and duties now conferred or imposed, or which may hereafter be conferred or imposed, upon the Probate Court of Walker County, Alabama, or the Judge thereof, by the several provisions of Chapter 157 of the 1923 Code of Alabama, or by any law relating to the duties of the husband toward his wife, or parents toward their children.

H. 1144. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, respectively, all the jurisdiction, powers, and duties now conferred upon the Probate Court of Walker County, Alabama, or the Judge thereof, respectively, by the several provisions of Chapter 100 of the 1923 Code of Alabama, or by any other law of the State relating to juvenile delinquents, probation officers, wards of the State or dependent children.

H. 840. To repeal an act approved February 21, 1927, entitled "An Act to require all tax assessors, tax collectors, judges of probate, and sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements, under oath, with the treasurer, or such other corresponding officer, in their respective counties, showing monies received and expended by said officers in their respective offices, and departments, in all counties of the State of Alabama, having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last, or any subsequent Federal census, and to provide penalties for failure to file such reports.

H. 1151. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

H. 1121. To provide that the members of the Board of Revenue of Lawrence County, Alabama, shall each receive four dollars per day instead of three dollars for service rendered said County and to repeal all general, special or local laws in conflict with the provisions of this Act.

H. 1166. To provide for the consolidation of the administration and control of the public school systems in any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding Federal Census; to establish a Board of Education in lieu of all other city and county Boards of Education in such counties, and provide for the manner of its selection and to define its authority.

H. 418. To provide for the election of a county superintendent of education for Bibb County, Alabama, to prescribe his qualifications and to fix his salary and term of office.

H. 420. To amend Section 13 of an act entitled, "An act to impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof. Approved Jan. 25, 1927.

H. 473. To authorize and regulate the organization of fraternal benefit societies into Stock Life Insurance Companies or Mutual Life Insurance Companies.

H. 546. To amend an Act entitled an Act, to prescribe the qualifications of persons who may hold the office of County superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

H. 1028. To prohibit whipping, flogging, beating or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

H. 858. To amend Section 955, Code of Alabama 1923, as amended by Act approved September 29, 1923, Acts 1923, page 789.

H. 768. To authorize Drainage Districts and sub-districts thereof now, heretofore or hereafter created to issue bonds for the payment of indebtedness now, heretofore or hereafter incurred; to provide for the assessment or reassessment against the lands and other property in such districts, and to provide for the collection of costs and expenses of installing and maintaining of

levees and drainage systems now, heretofore, or hereafter created not to exceed the increased value of such lands by reason of special benefits derived from such improvements, and to provide for the selling of bonds therefor, original or refunding, not to exceed the increased value of the property by reason of special benefits derived from such improvements.

H. 767. To validate certain bonds heretofore issued, by drainage districts in Alabama.

H. 766. To ratify, confirm and validate the corporate existence and corporate powers of all drainage districts heretofore organized as bodies corporate under the statutes of Alabama providing for the creation of drainage districts and organizing them into corporations, but which statutes have been declared invalid.

H. 765. To provide for refunding of money paid to drainage districts for bonds or securities issued by them under the provisions of an invalid act or law and to provide for the raising of funds therefor.

H. 797. For the relief of B. L. Marshall and to appropriate for the said B. L. Marshall the sum of fifteen hundred dollars, who was permanently disabled while on active duty with the highway department of the State of Alabama.

J. E. Speight,
Secretary.

RECESS

The hour of 12:30 o'clock having arrived the House, under a resolution heretofore adopted recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P. M. having arrived the House reconvened.

REPORT OF CONFERENCE COMMITTEE

Mr. Grove from the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1039, made the following report:

August 23rd. 1927.

To the President of the Senate,
and Speaker of the House:

We, the undersigned members of your conference committee, appointed to consider House Bill 1039, which was amended by

the Senate, and returned to the House, beg leave to report the following recommendations:

Amend Section 7 of said Bill, page 3, by striking from line 14 of said section the words Thirty Six hundred, and inserting in lieu thereof the words Three thousand.

With this amendment we recommend that the bill be passed.

John Craft,
O. S. Justice,
Edwin S. Jack,
Committee on Part of Senate.

C. M. A. Rogers,
Marion Richard Vickers,
E. J. Grove,
Committee on Part of House.

And on motion of Mr. Grove the House concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 1039.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Gullatt	Merrill	Reeder
Adcock	Guy	Molette	Ringer
Anderson	Hampton	Monk	Rivers
Bartlett	Harwood	Morrow	Rogers (Elmore)
Beebe	Hawkins	Moxley	Rogers (Mobile)
Brunson	Hollis	Mullen	St. John
Burleson	Howard	Nipper	Sanderson
Christian	Hubbard	Norman	Shepherd
Deloney	Hughes	Owens	Shivers
Denson	Jeter	Parish	Simpson
Edmundson	Johnson	Patterson	Smith
Edwards	Lee	Pegues	Starnes
Goode	Lovelace	Pitts	Stephens
Goodwyn	Luck	Poole	Vickers
Graves	McAdory	Powell	Waddell
Green	Martin	Quillir	Winn
Grove			

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And said Bill:

H. 1039. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board

of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probate Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution: for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

As amended by the report of the Committee of Conference was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Denson	Lovelace	Powell
Adcock	Fite	Martin	Quillin
Allen	Frey	Merrill	Reeder
Bartlett	Golson	Miller (Marengo)	Rivers
Beebe	Goode	Miller (Sumter)	Rogers (Elmore)
Bryant	Green	Morrow	Rogers (Mobile)
Burns	Grove	Norman	St. John
Byars	Guy	Owens	Sanders (Conecuh)
Cannon	Jones (Bullock)	Parish	Sanders (Pike)
Carter	Jones (Cleburne)	Patterson	Sanderson
Cook	Jordan (Etowah)	Pegues	Shepherd
Deloney	Jordan (Washington)	Pitts	Shivers

Simpson	Stewart (Calhoun)	Vickers	Ware
Smith	Thompson	Waddell	Webb
Starnes	Tompkins	Ward (Geneva)	Weldon
Stephens	Tunstall	Ward (Tuscaloosa)	Winn
Stewart (Bibb)			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills, and returns same herewith to the House:

By Mr. Powell:

H. 724. A Bill to be Entitled an Act To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensation and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$5,000.00 per year, net; allowance of \$7,500.00 per annum for office expenses as follows: one clerk, at \$2100.00 per annum; two clerks at \$1,500.00 per annum, each; and \$2,400.00 per annum for all other expenses, including extra clerks. The said \$2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$2,100.00 per year for a chief clerk in said office; \$1,200.00 for an assistant clerk in said office, and \$700.00 per year

for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$1,500.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$3,600.00 per year, net; allowance of \$1,800.00 per year for chief clerk in said office and \$1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year, net. The County Treasurer of said county shall receive a salary of \$2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as 'The Salary Fund'; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least

eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

H. 1139. To provide for the retirement of Judges of Circuit Courts or courts of like jurisdiction in circuits in the State of Alabama which are composed of only one county, having more than two judges and less than nine judges, or in circuits which may hereafter be composed of only one county having more than two judges and less than nine judges who have served in such capacity twenty years consecutively and have reached the age of seventy years; to provide for their compensation and to regulate the manner of their retirement.

H. 1143. To prescribe the qualifications of the Judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority.

H. 950. Providing that in all cities in the State having a population of not less than fifty thousand and not more than one hundred and fifty thousand according to the last or any subsequent Federal Census the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

H. 1162. To provide for a special election to be held in Jackson County on the first Tuesday in January, 1928, to determine whether the County Superintendent of Education shall be elected by ballot or continue to be appointed by the county board of education; to fix his term of office and salary; and to prescribe his qualifications.

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to prescribe its jurisdiction and procedure; to provide for its judge, clerks and other officers their appointment, duties, compensation and to fix their term of office; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeals to the Circuit Court.

H. 1146. To make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, Elmore and Tallapoosa Counties, Alabama, and to provide a penalty for violating the provisions of this Act.

H. 789. To amend Section 1187, Section 1189, Section 1190 and Section 1193 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Powell the House nonconcurred in the Senate amendment to the Bill, H. 724. Said Senate amendment being as follows:

SUBSTITUTE FOR H. B. 724

H. 724. A Bill to be entitled an Act, to amend an Act, entitled, "An Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to convert the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker county shall be as follows: Salary of Judge of Probate of Walker County, \$6,000.00 per year, net; allowance of \$8,600.00 per annum for office expenses as follows: one clerk at \$2,500.00 per annum; two clerks at \$1,800.00 per annum and 1 clerk at \$1,500.00 per annum; and \$1,000.00 per annum for all other expenses, including extra clerks, The said \$1,000.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$5,000.00 per year, net; allowance of \$2,400.00 per year for a chief clerk in said office; \$2,700.00 for assistant clerks in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker county shall receive a salary of \$5,000.00 per year,

net; allowance of \$2,400.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$4,500.00 per year, net; allowance of \$1,800.00 per year for a chief clerk in said office and \$1,500.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year net. The County Treasurer of said county shall receive a salary of \$2,750.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall convert such fees into the County Treasury by the 10th of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the Treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries, clerk hire and allowances, including the method and basis of their compensation, also fix, regulate, and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

And on motion of Mr. Powell, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the Bill H. 724.

The Speaker named as Conferees on the part of the House Messrs. Powell, Shepherd and Hollis.

And on motion of Mr. Grove the House concurred in and adopted the Senate amendment to the Bill H. 1139. Said Senate amendment being as follows :

SUBSTITUTE FOR H. 1139

H. 1139. A Bill to be entitled an Act to provide that those who have been Judges of Circuit Courts or Courts of like juris-

diction, civil or equity, including law and equity courts, in Circuits in the State of Alabama which are composed of only one County, having more than two Judges and less than nine Judges, or in circuits which may hereafter be composed of only one County having more than two Judges and less than nine Judges who have served in such capacity as Judge of one or more such courts combined, twenty years consecutively, and have reached the age of seventy years may act as advisors of the Judges of said Circuit; to provide for their duties, compensation by the County and when and how this shall be done.

Be it Enacted by the Legislature of Alabama :

Section 1. All Judges of the Circuit Courts or Courts of like jurisdiction, civil or equity, including law and equity courts, in the State of Alabama, which are composed of only one County, having more than two Circuit Judges and less than nine Circuit Judges or in circuits which may hereafter be composed of only one county having more than two Circuit Judges, and less than nine Circuit Judges, who have served in said capacity twenty consecutive years in the said Circuit Courts or Courts of like civil or equity jurisdiction, including law and equity courts and all others combined, and who have reached the age of seventy years, may, act as advisors of the Circuit Judges in said Circuits, and , upon application as hereinafter provided receive compensation in an amount equal to fifty per centum of the salaries then fixed by law for judges in said Circuit Courts.

Section 2. Any Judge who is entitled to the benefits of this Act, and who desires to so act as such advisor hereunder shall first make application to the Board of Revenue and Road Commissioners, or other Court or Board of like jurisdiction, setting forth the date of his election or appointment as such Judge, the date and place of his birth, the number of consecutive years he has served in such capacity as Circuit Judge and a Judge of a Court of like civil or equity jurisdiction, including law and equity courts, and such other information as may be required by said Board; whereupon the said board may by appropriate resolution spread on the minutes of said Board, name said Judge, or Judges as such advisor or advisors and an order may be made by said board entitling said Judge, or Judges to fifty per centum of the compensation fixed by law for compensation of Circuit Judges at such time, and such advisor or advisors shall receive said compensation in equal monthly installments payable out of the County Treasury of their respective counties, said payments to be made so long as they act as such advisor or advisors.

Section 3. The Compensation herein allowed shall be fifty per centum of the salary now or hereinafter paid by the State of Alabama and fifty per centum of the amount now or hereafter supplemented by the County, the intention of this Act being to

pay the said advisor or advisors fifty percentum of their gross compensation which they were allowed at the time they become such advisors.

Section 4. Such advisor shall, on the request of the Presiding Judge of said Circuit Court advise the said Circuit Judges on matters coming before them but shall have none of the powers of a Judge.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor; "provided, however, that this Act shall never be construed nor enforced so as to authorize any authorities to grant any extra compensation, fee or allowance to any public officer, servant, employee or agent after service shall have been rendered nor shall it ever be construed or enforced so as to authorize payment to any person of the salary of a deceased officer beyond the date of his death nor shall it ever be construed or enforced so as to authorize the retirement of any officer on pay or part pay or make any grant to any retiring officer, but that all funds or monies paid out or expended under and by virtue of this Act shall be paid for services to be performed or duties to be discharged in the future by the persons or officers to whom such payments are made.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Hightower	Norman	Simpson
Anderson	Hughes	Owens	Smith
Ashcraft	Jeter	Parish	Starnes
Baldwin	Johnson	Patterson	Stephens
Bartlett	Jones (Bullock)	Pegues	Stewart (Bibb)
Burleson	Jones (Cleburne)	Pitts	Stewart (Calhoun)
Christian	Jordan (Etowah)	Poole	Thompson
Cockrell	Jordan (Washington)	Reeder	Tompkins
Deloney	Luck	Rogers (Elmore)	Tunstall
Denson	McAdory	Rogers (Mobile)	Vickers
Edwards	Martin	St. John	Ward (Geneva)
Fite	Matthews	Sanders (Conecuh)	Ward (Tuscaloosa)
Frey	Merrill	Sanders (Pike)	Ware
Golson	Molette	Sanderson	Webb
Grove	Mullen	Shepherd	Weldon
Hampton	Nipper	Shivers	Winn
Hawkins			

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And on motion of Mr. Shepherd the House concurred in and adopted the Senate amendment to the Bill, H. 1143. Said Senate Amendment being as follows:

Amend House Bill No. 1143 as follows:

1. By inserting after the word "qualifications" and before the word "of" in line one of the title the words "and term".

2. By inserting immediately following Section 6 of the Bill the following section:

"Section 6½. That such County Judge shall when not otherwise engaged in the discharge of the duties of the office at all reasonable times occupy an office in the Court House to be provided by the County; and it shall be unlawful for such Judge to practice law or be connected in the practice of law with any lawyer or law firm, it being the duty of such judge to give his entire time to the discharge of the duties of his office. And said County Judge is hereby given authority of determining what papers connected with the proceedings before him shall be recorded.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Matthews	Powell
Adcock	Frey	Merrill	Quillin
Allen	Golson	Miller (Marengo)	Reeder
Anderson	Goode	Miller (Sumter)	Ringer
Ashcraft	Goodwyn	Molette	Rivers
Baldwin	Graves	Monk	Rogers (Elmore)
Bartlett	Gullatt	Morrow	Rogers (Mobile)
Beebe	Harwood	Mullen	Sanders (Conecuh)
Brunson	Hawkins	Nipper	Sanders (Pike)
Bryant	Hightower	Norman	Shepherd
Burleson	Hollis	Owens	Shivers
Christian	Howard	Parish	Simpson
Cockrell	Hubbard	Patterson	Smith
Cook	Luck	Pegues	Tunstall
Darden	McAdory	Pitts	Vickers
Deloney	Martin	Poole	Waddell
Denson			

—65

And on motion of Mr. Grove the House concurred in and adopted the Senate amendment to the Bill H. 950. Said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 950

Amend H. B. 950, by striking out the word fifty where it appears in the caption and in the body of the bill and insert in lieu thereof the words sixty-five.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Bryant	Darden	Fite
Adcock	Burns	Deloney	Frey
Allen	Byars	Denson	Golson
Anderson	Carter	Edmundson	Goodwyn
Beebe	Cockrell	Edwards	Graves

Grove	Luck	Reeder	Simpson
Gullatt	Miller (Marengo)	Ringer	Smith
Hawkins	Miller (Sumter)	Rivers	Starnes
Hightower	Monk	Rogers (Elmore)	Stephens
Hollis	Mullen	Rogers (Mobile)	Stewart (Bibb)
Howard	Nipper	St. John	Stewart (Calhoun)
Hubbard	Norman	Sanders (Concuh)	Thompson
Hughes	Owens	Sanders (Pike)	Tompkins
Jones (Bullock)	Parish	Sanderson	Tunstall
Jones (Clebune)	Patterson	Shepherd	Vickers
Jordan (Etowah)	Pegues	Shivers	Waddell
Jordan (Washington)			

—65

And on motion of Mr. Pegues the House concurred in and adopted the Senate amendment to the Bill H. 1162. Said Senate amendment being as follows:

Amend House Bill Number 1162 so as to read as follows:

Strike out the word "First" where it appears in line two in the caption of said Bill and substitute therefor the word "Second", and strike out the word "First" where it appears in line one, Section one, and substitute therefor the word "Second".

Amend House Bill No. 1162 by adding the following Section:

Section 5. In the event no candidate qualifies for the office of County Superintendent of Education of Jackson County, as required by law and the regulations of the State Board of Education, then the County Board of Education of Jackson County must elect a Superintendent of Education who possesses the qualifications required by law and by the State Board of Education.

Amend House Bill Number 1162 by adding the following Section.

Section Number 6. This Act shall take effect upon its approval by the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Hampton	Merrill
Adcock	Darden	Harwood	Morrow
Allen	Deloney	Hawkins	Pegues
Anderson	Denson	Hightower	Pitts
Ashcraft	Edmundson	Hollis	Poole
Baldwin	Edwards	Howard	Powell
Bartlett	Fite	Hubbard	Quillin
Beebe	Frey	Hughes	Reeder
Brunson	Golson	Jeter	Ringer
Bryant	Goode	Johnson	Sanderson
Burleson	Goodwyn	Lee	Shepherd
Burns	Graves	Lovelace	Shivers
Byars	Green	Luck	Simpson
Cannon	Grove	McAdory	Smith
Carter	Gullatt	Martin	Starnes
Christian	Guy	Matthews	Stephens
Cockrell			

—65

And on motion of Mr. Simpson the House concurred in and adopted the Senate amendment to the Bill H. 783. Said Senate amendment being as follows:

AMENDMENT TO H. 783

Amend Section 2 so as to read as follows:

Section 2. This court shall have and exercise concurrently with all other courts having like Jurisdiction in said county, for and in all of Jefferson County, except the territory hereinafter excluded and defined, all the jurisdiction and power which now are, or which hereafter may be by law conferred upon the circuit courts of this State, in actions at law where the amount involved exceeds the sum One Hundred Dollars and does not exceed the sum of Five Hundred Dollars.

Amend subdivision 1 of Section 5 so as to read as follows:

(1). To exercise original jurisdiction of suits and actions at law when the matter or sum in controversy exceeds the sum of one hundred dollars and does not exceed five hundred dollars.

Amend Section 8 so as to read as follows:

Section 8. The Judge of said Court shall be learned in the law, shall be a resident citizen and qualified voter of Jefferson County, Alabama, and not less than twenty-five years of age. Immediately after the passage of this Act the Governor shall appoint the judge of said Court who shall serve for four years and until his successor is appointed and qualified; and the Governor shall appoint a judge of said Court each four years.

Amend Section 14 so as to read as follows:

Section 14. The Sheriff of Jefferson County shall be the exclusive officer of said Court for the service of process, for which service the same fees shall be collected and turned into the County Treasury as other fees earned by the sheriff are paid.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Burns	Jones (Bullock)	Nipper	Sanders (Conecuh)
Byars	Jones (Cleburne)	Norman	Sanders (Pike)
Cannon	Jordan (Etowah)	Owens	Sanderson
Carter	Jordan (Washington)	Parish	Shepherd
Christian	McAdory	Patterson	Shivers
Cockrell	Martin	Pegues	Simpson
Cook	Matthews	Poole	Smith
Darden	Merrill	Powell	Starnes
Deloney	Miller (Marengo)	Quillin	Stephens
Denson	Miller (Sumter)	Reeder	Stewart (Bibb)
Edmundson	Molette	Ringer	Stewart (Calhoun)
Edwards	Monk	Rivers	Thompson
Frey	Morrow	Rogers (Elmore)	Tompkins
Hawkins	Mullen	Rogers (Mobile)	Tunstall

Vickers	Ward (Geneva)	Ware	Weldon
Waddell	Ward (Tuscaloosa)	Webb	Winn
Wallace			

—65

On motion of Mr. Darden the House concurred in and adopted the Senate amendment to the Bill H. 1146. Said Senate amendment being as follows:

Amend H. B. 1146 as follows:

Amend the bill by striking out the words "Elmore and Tallapoosa Counties" where they appear in the title and body of the bill and inserting in lieu thereof the word "County."

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	Lawler	Pitts
Ashcraft	Gullatt	Lee	Poole
Baldwin	Guy	Lovelace	Powell
Bartlett	Hampton	McAdory	Quillin
Brunson	Hawkins	Martin	Reeder
Burleson	Hightower	Matthews	Ringer
Carter	Hollis	Miller (Marengo)	Rivers
Christian	Howard	Miller (Sumter)	Rogers (Mobile)
Cook	Hubbard	Molette	Sanders (Conecuh)
Darden	Hughes	Monk	Sanders (Pike)
Deloney	Jeter	Morrow	Sanderson
Denson	Johnson	Mullen	Shivers
Edmundson	Jones (Bullock)	Norman	Smith
Frey	Jones (Cleburne)	Owens	Starnes
Goode	Jordan (Etowah)	Parish	Vickers
Goodwyn	Jordan (Washington)	Pegues	Weldon
Graves			

—65

And on motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the Bill H. 789. Said Senate amendment being as follows:

Amend House Bill 789 To Amend Section 1193 to read as follows:

The words "General Hospital" as used in this article shall mean a hospital or sanitarium that maintains twenty or more beds for the sick and where general medicine, general surgery, obstetrics and the care and nursing of infants and children are practiced and taught. The standing and qualification of such general hospitals shall be approved or disapproved by the county medical society of the county in which said hospital is located, which approval or disapproval shall be approved by the state committee of public health.

All students who attend these general hospitals of twenty beds or more shall affiliate with, and shall receive at least six months of their training in their senior year in a general hospital that has a daily average of fifty or more patients.

Yeas, 66; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	McAdory	Rogers (Elmore)
Adcock	Frey	Martin	Rogers (Mobile)
Allen	Goode	Matthews	Sanders (Pike)
Anderson	Goodwyn	Miller (Sumter)	Sanderson
Ashcraft	Green	Mollette	Simpson
Baldwin	Grove	Morrow	Smith
Beebe	Hawkins	Mullen	Stewart (Bibb)
Bryant	Hightower	Nipper	Stewart (Calhoun)
Burleson	Hollis	Norman	Thompson
Burns	Howard	Owens	Tompkins
Carter	Hughes	Parish	Waddell
Christian	Johnson	Patterson	Ward (Tuscaloosa)
Cockrell	Jones (Bullock)	Pegues	Ware
Cook	Jones (Cleburne)	Pitts	Webb
Darden	Jordan (Etowah)	Quillin	Weldon
Deloney	Jordan (Washington)	Reeder	Winn
Denson	Luck		

—66

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 1149. Relating to the government of and control by civil service regulations of the Police and Fire Departments in all cities of the State of Alabama having a population of 100,000 or more, according to the last or any succeeding Federal census, and relating to the Civil Service Board in all such cities, and relating to promotions and demotions in said departments.

Also:

H. 15. To protect purchasers of real property against which mortgages, vendors, liens, judgments and other liens have been recorded in dealing with the record owners of such liens, and to provide that cancellations of liens of this character by the record owners thereof shall be valid as to such purchasers.

Also:

H. 720. To make an appropriation to the Southern Industrial Institute for the purpose of constructing and equipping buildings at said school and for the maintenance of said institution.

Also:

H. 908. To further regulate inferior courts in cities having more than one hundred thousand population according to the last or any subsequent federal census, to fix the compensation of the judge of such court and to provide for the appointment of a clerk and to provide the method as to how the compensation of such clerk shall be fixed, and to provide for the appointment of bailiffs of such court and to fix their compensation, and to provide for and fix the compensation of the deputy solicitor of such court,

and to provide that this act shall only apply to inferior courts having one judge exercising civil and criminal jurisdiction.

And find same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 157. To amend Section 6 of an Act entitled An Act, To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors, approved September 17, 1923.

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper and unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds

vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 1039. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Court; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence

or demeanor of said juveniles, and provide for the repeal of certain laws.

And said bill, H. B. 1039, as amended by the report of the Conference Committee, was again read a third time at length and passed by the Senate.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

By Mr. Teasley:

S. J. R. 101. Be it resolved by the Senate, the House concurring; that the Code of Alabama and the Acts of the Legislature heretofore furnished the members of the two Houses and presiding officers be and the same are hereby donated to the several members and presiding officers, and shall become their individual property.

Be it further resolved that the doorkeepers of the two houses are hereby relieved of any responsibility or accountability for all of said Codes and Acts heretofore furnished said members or presiding officers.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Waddell the S. J. R. 101 was concurred in and adopted.

BILLS ON THIRD READING

S. 348. To permit, a sugar refinery to make or to manufacture, as a by-product of and in such plant, industrial alcohol or denatured alcohol for nonbeverage purposes only, in order to conserve the materials used in or incident to the manufacturing process employed in such refinery by persons, firms or corporations on any State owned land that constitutes in whole or in part any plan of development by the State or its agency for the improvement or expansion of the harbors or seaports of the State; authorizing the Governor of Alabama, in his discretion, to issue permits therefor; fixing the conditions and regulations under which such alcohol may be manufactured, transported and sold, and requiring the giving of a bond to the State for the faithful observance of con-

ditions and regulations in the premises; defining the terms used in this Act; and declaring offenses against the Act and prescribing penalties for violations of this Act and providing for the supervision of its enforcement by the Governor of Alabama.

Was read a third time at length and passed.

Yeas, 77; Nays, 6.

Yeas:

Messrs.:

Mr. Speaker	Green	Miller (Sumter)	Sanders (Pike)
Adcock	Grove	Molette	Sanderson
Allen	Gullatt	Morrow	Shivers
Anderson	Guy	Mullen	Simpson
Ashcraft	Hawkins	Nipper	Smith
Baldwin	Hightower	Norman	Starnes
Beebe	Howard	Owens	Stephens
Brunson	Hubbard	Parish	Stewart (Calhoun)
Burleson	Hughes	Patterson	Thompson
Burns	Jeter	Pegues	Tompkins
Carter	Johnson	Pitts	Tunstall
Cockrell	Jones (Bullock)	Poole	Vickers
Cook	Jordan (Washington)	Powell	Waddell
Darden	Lee	Quillin	Ward (Geneva)
Denson	Lovelace	Reeder	Ward (Tuscaloosa)
Edwards	Luck	Ringer	Ware
Fite	Martin	Rogers (Elmore)	Webb
Golson	Merrill	Rogers (Mobile)	Weldon
Goode	Miller (Marengo)	Sanders (Conecuh)	Winn
Goodwyn			

—77

Nays:

Messrs.:

Bryant	Hollis	Monk	Stewart (Bibb)
Cannon	Jones (Cleburne)		

—6

S. 35. To amend an Act entitled "An Act to make a donation of the State Capitol at Tuscaloosa," approved on January 28, 1852, and found on page fifty-five (55) of the Acts of Alabama, 1851-2.

Was read a third time at length and passed.

Yeas, 75; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Goodwyn	Johnson
Adcock	Christian	Green	Jones (Bullock)
Allen	Cockrell	Grove	Jones (Cleburne)
Anderson	Cook	Gullatt	Jordan (Washington)
Ashcraft	Darden	Hawkins	Lee
Baldwin	Deloney	Hightower	Lovelace
Beebe	Denson	Hollis	Luck
Brunson	Edmundson	Howard	McAdory
Bryant	Edwards	Hubbard	Martin
Burleson	Fite	Hughes	Matthews
Burns	Goode	Jeter	Merrill

Molette	Rivers	Starnes	Waddell
Mullen	Rogers (Elmore)	Stephens	Ward (Geneva)
Parish	Rogers (Mobile)	Stewart (Bibb)	Ward (Tuscaloosa)
Patterson	Sanders (Conecuh)	Stewart (Calhoun)	Ware
Pitts	Sanders (Pike)	Thompson	Webb
Quillin	Sanderson	Tompkins	Weldon
Reeder	Shivers	Tunstall	Winn
Ringer	Smith	Vickers	

—75

S. 545. To authorize the condemnation of a right-of-way over lands of other persons to cemeteries or graveyards, which have been used by the public as a place for burying the dead for twenty years or more when no part of said cemetery or graveyard is adjacent or contiguous to any public road or highway.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Edwards	Lee	Ringer
Allen	Fite	Lovelace	Rivers
Anderson	Goode	Luck	Sanderson
Ashcraft	Goodwyn	McAdory	Simpson
Baldwin	Green	Martin	Smith
Brunson	Grove	Matthews	Starnes
Bryant	Gullatt	Merrill	Stephens
Burleson	Hawkins	Molette	Stewart (Bibb)
Burns	Hightower	Morrow	Stewart (Calhoun)
Cannon	Hollis	Mullen	Thompson
Christian	Hubbard	Nipper	Tompkins
Cockrell	Hughes	Norman	Vickers
Cook	Jeter	Parish	Waddell
Darden	Jones (Bullock)	Pegues	Ward (Geneva)
Deloney	Jones (Clebume)	Quillin	Ware
Denson	Jordan (Washington)	Reeder	Webb
Edmundson			

—65

S. 196. To provide for and regulate further the care, support, and maintenance of the poor and paupers of the several counties of the State of Alabama.

Was read a third time at length and passed.

Yeas, 62; Nays, 1.

Yeas:

Messrs.:

Adcock	Cannon	Goode	Jones (Bullock)
Allen	Cook	Green	Jones (Clebume)
Anderson	Darden	Grove	Jordan (Etowah)
Ashcraft	Deloney	Gullatt	Jordan (Washington)
Beebe	Denson	Hightower	Lovelace
Brunson	Edmundson	Hollis	Luck
Bryant	Edwards	Hubbard	McAdory
Burleson	Fite	Hughes	Martin
Burns	Golson	Johnson	Miller (Marengo)

Miller (Sumter)	Pegues	Sanders (Pike)	Thompson
Molette	Pitts	Sanderson	Tompkins
Mullen	Reeder	Simpson	Waddell
Nipper	Ringer	Smith	Ward (Geneva)
Norman	Rivers	Starnes	Ward (Tuscaloosa)
Parish	Rogers (Elmore)	Stewart (Calhoun)	Weldon
Patterson	Sanders (Conecuh)		

—62

Nay:—Mr. Stephens—1.

S. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes other than for schools owned or controlled by any religious sect or denomination.

Was read a third time at length and passed.

Yeas, 64; Nays, 0.

Yeas:

Messrs.:

Adcock	Edwards	Jordan (Washington)	Rogers (Elmore)
Allen	Fite	Lovelace	Sanders (Conecuh)
Anderson	Frey	McAdory	Sanders (Pike)
Ashcraft	Goode	Martin	Sanderson
Baldwin	Goodwyn	Matthews	Simpson
Beebe	Green	Miller (Sumter)	Stephens
Brunson	Grove	Molette	Stewart (Bibb)
Bryant	Hawkins	Morrow	Stewart (Calhoun)
Burleson	Hightower	Mullen	Thompson
Burns	Hollis	Parish	Vickers
Cannon	Howard	Patterson	Waddell
Cook	Hughes	Pegues	Ward (Geneva)
Darden	Jeter	Pitts	Ward (Tuscaloosa)
Deloney	Johnson	Reeder	Ware
Denson	Jones (Bullock)	Ringer	Webb
Edmundson	Jones (Cleburne)	Rivers	Weldon

—64

S. 521. (With amendment) To amend Section 2011 of the Code of Alabama, of 1923.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Municipal Organization. Said Committee amendment being as follows:

Amend Senate Bill No. 521 by striking out the words "of more than 6000 inhabitants" and insert in lieu thereof the words "of more than two thousand inhabitants."

And the amendment reported by the Standing Committee on Municipal Organization was adopted.

Yeas, 63; Nays, 0.

Yeas:

Messrs.:

Adcock	Goode	McAdory	Ringer
Allen	Goodwyn	Martin	Rogers (Elmore)
Anderson	Graves	Matthews	Rogers (Mobile)
Ashcraft	Green	Merrill	Sanders (Pike)
Beebe	Grove	Miller (Sumter)	Simpson
Brunson	Gullatt	Molette	Smith
Burleson	Hightower	Morrow	Starnes
Burns	Hollis	Mullen	Stewart (Calhoun)
Byars	Howard	Nipper	Tunstall
Cook	Jeter	Norman	Waddell
Darden	Jones (Bullock)	Parish	Ward (Geneva)
Denson	Jones (Cleburne)	Patterson	Ward (Tuscaloosa)
Edmundson	Jordan (Etowah)	Pegues	Webb
Edwards	Jordan (Washington)	Pitts	Weldon
Frey	Lee	Quillin	Winn
Golson	Lovelace	Reeder	

—63

And the Bill:

S. 521. To amend Section 2011 of the Code of Alabama, of 1923.

As amended was read a third time at length and passed.

Yeas, 54; Nays, 19.

Yeas:

Messrs.:

Mr. Speaker	Goode	Matthews	Reeder
Adcock	Goodwyn	Merrill	Rogers (Elmore)
Allen	Green	Miller (Marengo)	Rogers (Mobile)
Anderson	Grove	Miller (Sumter)	Simpson
Beebe	Guy	Molette	Smith
Brunson	Hawkins	Monk	Starnes
Burns	Johnson	Morrow	Stewart (Calhoun)
Cockrell	Jones (Bullock)	Mullen	Tunstall
Darden	Jones (Cleburne)	Norman	Vickers
Denson	Jordan (Etowah)	Owens	Ward (Geneva)
Edmundson	Jordan (Washington)	Parish	Ward (Tuscaloosa)
Edwards	Lovelace	Patterson	Weldon
Fite	McAdory	Pitts	Winn
Frey	Martin		

—54

Nays:

Messrs.:

Baldwin	Hightower	Powell	Stephens
Cannon	Hollis	Quillin	Stewart (Bibb)
Cook	Hughes	Ringer	Tompkins
Deloney	Nipper	Rivers	Ware
Golson	Pegues	Sanders (Conecuh)	

—19

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a Commissioner of Conservation of Game, Fish and Seafood, and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of Conservation of Game, Fish and Seafood, and the Commissioner of Conservation of Game, Fish and Seafood; to provide for all officers, agents and employees in, under or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of wild life and seafood resources of the state or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish, and species of seafood, and provide for licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensa-

tion, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

Said Conference Report being in the following words and figures to-wit:

To the Presiding Officer of the Senate and the Speaker of the House:

We, your conference committee appointed by the presiding officer of the Senate and Speaker of the House on the disagreement between the two houses on House Bill 368, beg leave to report as follows:

We recommend that the House concur in the following Senate Amendments'.

Amend Sec. 10 by striking out the words "concealed, or otherwise" after the word "weapons" and insert in lieu thereof the following: "when in the discharge of their duties as such wardens."

To amend Section 22 of H. B. 368 so as to read as follows:

Section 22. Permit issued by Commissioner to game breeders: The Commissioner of Conservation of game, fish and sea food upon the payment of a fee of ten dollars (\$10.00) may issue an annual license to any properly accredited person, firm, or corporation permitting him, her, or it to engage in the business of raising game birds and game or fur bearing animals for propagating purposes in this State. Before such permit is issued the Commissioner shall make or cause to be made, a thorough investigation, and therefrom determine the qualifications, responsibility, and equipment of applicant for entering upon the business of breeding, raising, and handling of such game birds and game or fur bearing animals.

Amend House Bill 368 by adding Section 43½.

Section 43½. Money received from fishing licenses issued in Mobile and Baldwin Counties shall be placed to the credit of the Sea Food Fund.

Amend Section 52 of House Bill 368, by adding words "Jay birds or blue jays" after the words "Buzzards."

Amend Section 59 of House Bill 368, by striking out the words "The 31st day of October", and substituting in lieu thereof "November 21st following."

Amend Section 100 of House Bill No. 368, by adding after words, "Used at any time, in any waters of this State" the following words "To catch fresh water fish."

Amend Section 100 of House Bill 368, by striking out that portion beginning "Based on the following schedule," and ending with the words "Low water mark", and substituting therefor the following "of five dollars per annum, no seine or net to be used of greater length than 1,200 feet nor mesh less than six inches stretched or bar mesh three inches from knot to knot, after being tarred and shrunk shall be used in any of the waters of this State for catching fresh water fish, and no seine or net of any length or dimensions shall be used in any of the fresh or tidal waters of this State having an average width of less than 150 feet at low water mark, except that portion of tidal streams, south of township four south, St. Stephens Meridian where the water is salt during most of the year.

Amend House Bill No. 368 by striking therefrom Section 101.

To amend Section 103, H. B. 368 by striking out the words "each month" and substituting therefor "July and January".

Amend House Bill 368 by striking therefrom Section 105 and inserting in lieu thereof the following:

Section 105. Obstructing streams. Any person, firm or corporation, who by means of dams, or other obstructions prevents the passage of fish in the waters of any river, creek or other body of water in this State, without providing and maintaining a fish ladder, fish way or other means for the passage of fish up stream shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Any person, firm or corporation now owning or controlling such dam, shall immediately remove same or comply with the provisions of this section, and upon failure to do so, the Commissioner of Conservation of Game, Fish and Seafood, or any of his wardens or agents, shall be authorized to so remove same or have it done. Provided, however, it shall not be unlawful for any person, firm or corporation to erect or maintain a dam twenty feet or more in height on any stream in the furtherance of any lawful business or enterprise; and provided further that any person, firm or corporation constructing, operating or maintaining any dam under the provisions of the Federal Water Power Act shall construct fish ways as may be prescribed under the provisions of such Act and the rules and regulations issued thereunder.

Amend Section 113 of House Bill 368 as follows: Insert after the words "State of Alabama" in the fourteenth line thereof the word "which"; insert after the word "are" in the same line thereof the word "now"; strike the word "to" in the fifteenth line thereof and insert in lieu thereof the word "shall" insert after the word "thereof" in the fifteenth line, the following: "subject to such rights as may now or hereafter arise under ex-

isting laws," insert after the words "natural or public" in the twenty-ninth line thereof the word "oyster".

Amend Section 115 of House Bill 368, by adding thereto the following:

"Shrimp may be sold by weight and in such event two hundred pounds thereof shall be considered a barrel of shrimp."

Amend Section 117 of House Bill No. 368, by striking out same and inserting in lieu thereof the following: Section 117. Report on seafood Pack required. Each person, firm, or corporation, on or before the tenth day of July of each year, shall make a report to the Sea Food Commission of the amount of Pack of the several kinds of sea food packed or canned during the preceding season giving the size of cans or net weight thereof, and the number of cases packed therefrom.

Amend Section 123 of House Bill 368 by striking out the words "July 1st, 1927" and substituting therefor April 1st, 1928."

Amend Section 129 of House Bill 368 by striking out the words "two and one-half inches stretched or one and one-quarter inch" and substituting therefor the following "Two and three-eighths inches stretched or one and three-sixteenths of an inch".

Amend House Bill 368 by adding thereto Section 131½.

Section 131½. No nets, except dip nets or cast nets in catching bait, or those with six inch mesh as herein provided, shall be used in any fresh water stream, except when the water at such point is salt, when nets for commercial fishing as herein prescribed may be used for half a mile, by run of the stream, up such stream from the mouth thereof, and in Bon Secour River to a line drawn south from Pattersons store which is Bon Secour post office.

Amend Section 133 of House Bill 368 by striking therefrom the words "each month" and substituting therefor "July and January".

Amend Section 136 of House Bill No. 368 by adding thereto the following: "No oysters in the shell shall be exported from this State."

We recommend that the Senate recede from all other Senate amendments not hereinabove concurred in, and also recommend the adoption of the following amendments to House Bill 368 in lieu thereof:

Amend House Bill 368 by striking from said bill in section 3 as amended in the Senate and substituting in lieu thereof the following: "Section 3. Providing office for Commissioner, and

providing a chief clerk and other office assistants and their salaries: The Commissioner of Conservation of Game, Fish and Sea Food shall be provided with suitable offices and museum space in the State Capitol, and he is hereby authorized to employ a Chief Clerk at a salary of \$3,000.00 per annum, a Secretary at \$2,400.00 per annum, and an Assistant Clerk at \$1,500.00 per annum, and a stenographer at \$1,500.00 per annum; all of said salaries to be payable monthly out of the Game and Fish Fund and in the same manner as other State officers are paid."

Amend House Bill 368 by striking out Section 8 as amended and substituting in lieu thereof the following:

Section 8. The Commissioner to appoint wardens and deputies: their compensation: The Commissioner of Conservation of Game, Fish and Sea Food shall have power to appoint a Chief Game and Fish Warden, four District Game and Fish Wardens, and Deputy Game and Fish Wardens not to exceed twenty five, and not to exceed five part time deputy Game and Fish Wardens at not exceeding \$75.00 per month.

The Chief Game and Fish Warden shall receive as compensation a salary of three thousand dollars (\$3,000.00) per annum and his necessary expenses when traveling in the performance of the duties hereinafter assigned him. The District Game and Fish Wardens shall each receive a salary of eighteen hundred dollars (\$1,800.00) per annum. Deputy Game and Fish Wardens shall each receive a salary of fifteen hundred dollars (\$1,500.00) per annum. The Deputy and District Wardens above provided for shall be reimbursed for their meals and lodging when absent from headquarters in the performance of their duties as such Game and Fish Wardens, and shall be allowed not exceeding sixty dollars (\$60.00) per month for transportation.

When any Deputy Game and Fish Warden is assigned by the Commissioner of Conservation of Game, Fish and Sea Food to part time duty only, or to such other duty as keeper and protector of a State game refuge, sanctuary or fish hatchery, he shall receive such salary or salary and expenses, as the Commissioner of Conservation of Game, Fish and Sea Food may allow on the approval of the Governor, said salaries and expenses shall be paid out of the Game and Fish Fund.

Amend House Bill 368 by striking out Section 41 thereof and substituting the following:

Section 41. State fishing licenses; how obtained and exceptions. Any person who has been a bona fide resident of this State for one year next preceeding may procure a State fishing license by filing with the Probate Judge or other person or officer duly authorized to issue such license, the same application

as provided for hunting licenses, and after paying to the person issuing said licenses the sum of one dollar and fifteen cents (\$1.15). Such license shall entitle the holder thereof to fish in any of the public waters of the State; provided, however, that all persons may fish in the public waters in the precinct of their residence without a fishing license and provided further that all children under the age of 18 years and all women and Confederate Veterans may fish in any of the public waters of this State without procuring a fishing license.

Amend H. 368 by striking from section 42 the words "sixteen years" where same appears therein and substituting in lieu thereof the words "eighteen years".

Amend Section 53 of House Bill 368, by striking out "November 30th, to Match 31st, following" and substituting therefor "November 21st to January 1st following and during March, and up to and including April 10th."

Amend House Bill 368 by striking from Section 65 the word "State" where it first appears in said Section and adding after the words "hunting license" where same first appear in said Section the following words "as provided in this Code."

Amend House Bill 368 by striking out Section 66 as amended and substituting in lieu thereof the following:

Section 66. Fishing without license prohibited. Any person not exempt from procuring a fishing license under the provisions of Section 41 of this Code who fishes with hook and line, fly, troll or spinner, or substitute therefor in the public waters of this State shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00).

Amend House Bill 368 by striking from Section 68 the following at the end of said section: "which said rules and regulations shall have the force and effect of law."

Amend Section 69 of House Bill 368 by striking out all of said section after the word "against" where same appears in said section, and substituting in lieu thereof the following: "the depredation of any predatory animal or predatory non game bird when caught in the act of committing depredations on live stock, poultry or growing crops on their premises."

Amend Section 90, House Bill 368, by adding at the end of said section the following: "Provided, that nothing in this section shall be construed to in any way repeal any sections of Public Health and Quarantine laws of the State or in anywise interfere with the administration of the Public Health and Quarantine laws of the State or the regulations passed by the State Board of Health governing impounded waters."

Amend section 94 of House Bill 368 by striking therefrom the following words where they occur together therein, viz: "Provided said fish traps and the wings thereof shall not prevent the passage of fish and canoes up and down said stream, when the same is at low water mark", and adding in lieu thereof the following: "provided that no fish trap together with the wings thereof shall occupy more than one half the width of the stream at low water mark where said trap is located, and provided further that said trap shall not be placed or maintained within a distance of two hundred yards of any other trap."

Amend House Bill 368 by adding thereto Section 95½ as follows: "Section 95½. It shall be unlawful to catch game fish during the months of April and May in any streams or public waters of this State in any portion of which the tide ebbs and flows:"

Amend House Bill 368 by striking from section 111 all of that part of said section occurring between the words "that may be taken" and the words "to make and promulgate" and substituting in lieu thereof the following: "to designate and regulate the manner and place of marketing all oysters or shrimp shipped or transported within or without the State; provided that no unlicensed boat nor its owner or operator shall be permitted to buy, transport, take or catch oysters or shrimp within the State or within the territorial jurisdiction of the State".

Amend House Bill 368 by striking out from Section 145 thereof the following words where same first appear: "the Commissioner of Conservation of Game, Fish and Seafood or", and also striking from said section the following words at the end of said section as follows: "or the Commissioner of Conservation of Game, Fish and Seafood."

Amend House Bill 368 by striking therefrom Senate amendment, viz: Section 177 and substituting in lieu thereof the following:

"Section 177. Rules and Regulations. The rules and regulations made by the Commissioner of Conservation of Game, Fish and Seafood shall not have the force and effect of law and a violation of same shall not constitute a criminal offense. All expenditures under this Act must have the approval of the Governor."

Amend House Bill 368 by adding section 178 as follows: Section 178. Act effective. This act shall go into effect upon its passage and approval by the Governor.

Amend Section 61 of House Bill 368 by striking therefrom the following words, viz: "provided, however, that no person shall take, capture or kill more than ten rabbits in one day."

Amend Section 94 of House Bill 368 by striking therefrom the word "two" where same appears and inserting in lieu thereof the words "two and five tenths".

Amend Section 100 of House Bill 368 by striking out the word "not" where it occurs in the following words, viz: "with bar mesh of not less than two inches," and also strike out the word "such" in the following words, viz: "any such hoop net."

Respectfully submitted,

Signed:

Sibley Holmes,

L. H. Ellis,

John Craft,

Committee on part of the Senate.

Mark L. Jeter,

W. C. Beebe,

R. J. Goode,

Committee on part of the House.

And said bill, H. B. 368, as thus amended by the report of the Committee of Conference, was again read a third time at length and passed.

And returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Jeter the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 368. Said report of said Conference Committee being set out in the above and foregoing Message from the Senate.

Yeas, 54; Nays, 13.

Yeas:

Messrs:

Allen	Goodwyn	Martin	Rogers (Elmore)
Ashcraft	Green	Matthews	Rogers (Mobile)
Beebe	Grove	Merrill	Sanders (Conecuh)
Burleson	Guy	Miller (Sumter)	Sanders (Pike)
Christian	Hawkins	Molette	Sanderson
Cockrell	Hightower	Morrow	Starnes
Darden	Hughes	Mullen	Stewart (Calhoun)
Denson	Jeter	Norman	Thompson
Edmundson	Johnson	Owens	Vickers
Edwards	Jones (Bullock)	Parish	Waddell
Fite	Jordan (Washington)	Reeder	Ward (Tuscaloosa)
Frey	Lee	Ringer	Webb
Golson	Lovelace	Rivers	Weldon
Goode	McAdory		

Nays:**Messrs:**

Mr. Speaker
Baldwin
Cannon
Carter

Hollis
Jones (Cleburne)
Nipper

Pitts
Powell
Quillin

Stephens
Tompkins
Ware

—13

And said Bill:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama, and provide for and establish in lieu thereof the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a Commissioner of Conservation of Game, Fish and Seafood and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of Conservation of Game, Fish and Seafood, and the Commissioner of Conservation of Game, Fish and Seafood; to provide for all officers, agents and employees in, under or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses and further to provide for the bonding of same, to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of the wild life and seafood resources of the State or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refugees, sanctuaries, hatcheries and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this Act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate com-

mercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in all protected game, birds, fish, and species of seafood, and provide for license for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties, to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

As amended by the report of the Committee of Conference was again read a third time at length and passed.

Yeas, 46; Nays, 20.

Yeas:

Messrs:			
Allen	Grove	McAdory	Sanders (Conecuh)
Ashcraft	Guy	Matthews	Sanders (Pike)
Beebe	Hawkins	Miller (Marengo)	Sanderson
Brunson	Hightower	Mullen	Simpson
Burleson	Hughes	Owens	Smith
Burns	Jeter	Parish	Starnes
Darden	Johnson	Patterson	Stewart (Calhoun)
Edwards	Jones (Bullock)	Reeder	Vickers
Fite	Jordan (Etowah)	Ringer	Waddell
Frey	Jordan (Washington)	Rogers (Elmore)	Webb
Goode	Lee	Rogers (Mobile)	Weldon
Green	Lovelace		

—46

Nays:

Messrs.:			
Mr. Speaker	Carter	Jones (Cleburne)	Stewart (Bibb)
Adcock	Cockrell	Nipper	Tompkins
Anderson	Cook	Quillin	Tunstall
Baldwin	Deloney	Rivers	Ward (Tuscaloosa)
Cannon	Hollis	Stephens	Ware

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the resolution:

H. J. R. 314. Relative to adjournment of the two Houses until Friday, September 2nd, 1927.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I herewith return to the House of Representatives, the body in which it originated, House Bill Number 852 without my approval. The reason for the disapproval is that in its present state the Bill is unconstitutional; but, in my judgment, the Bill may be rendered constitutional by adding the following amendment, which I suggest as an executive amendment, and if adopted, will remove objections to the Bill:

Amend the Bill by adding the following Section:

Provided, however, that the provisions of this Act shall not become effective unless and until the ratification by the people of the constitutional amendment proposed by House Bill Number 55, which was approved on August 13th, 1927, submitting a constitutional amendment for Mobile County so as to authorize and empower the Legislature from time to time, by general or local laws, to fix, regulate and alter the costs, charges of Court, fees, etc.

Respectfully,
Bibb Graves,
Governor.

August 30, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Grove the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 852. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Hollis	Miller (Sumter)	Simpson
Adcock	Howard	Molette	Smith
Anderson	Hubbard	Mullen	Starnes
Ashcraft	Jeter	Nipper	Stewart (Bibb)
Baldwin	Jones (Bullock)	Norman	Stewart (Calhoun)
Bartlett	Jones (Cleburne)	Pegues	Thompson
Christian	Jordan (Etowah)	Pitts	Tompkins
Cockrell	Jordan (Washington)	Poole	Tunstall
Darden	Lee	Powell	Vickers
Edmundson	Lovelace	Quillin	Waddell
Edwards	Luck	Reeder	Ward (Geneva)
Goode	McAdory	Ringer	Ward (Tuscaloosa)
Goodwyn	Martin	Rivers	Ware
Grove	Matthews	Rogers (Mobile)	Webb
Hampton	Merrill	Sanders (Conecuh)	Weldon
Hawkins	Miller (Marengo)	Sanders (Pike)	Winn
Hightower			

—65

Which was a majority of the whole number elected to the House and said Bill:

H. 852. Providing that in all Counties in the State having a population of not less than eighty five thousand and not more

than two hundred and fifty thousand according to the last or any subsequent Federal census, the Clerks of all Courts in such counties shall tax fifty cents as costs in all criminal cases brought in any Courts of any of said Counties arising within the police jurisdiction of the largest city in such county, and pay the same when collected into the Municipal Employees Pension and Relief Fund" of the largest City in said County.

As amended was again read a third time at length and passed Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	Kirkpatrick	Parish
Allen	Grove	Langdon	Patterson
Beebe	Gullatt	Lawler	Pegues
Brunson	Guy	Lee	Pitts
Bryant	Hawkins	Lovelace	Poole
Burns	Hightower	Luck	Powell
Byars	Hollis	McAdory	Quillin
Cannon	Howard	Martin	Reeder
Carter	Hubbard	Matthews	Ringer
Cook	Hughes	Merrill	Rivers
Darden	Jeter	Molette	Rogers (Elmore)
Deloney	Johnson	Morrow	Rogers (Mobile)
Denson	Jones (Bullock)	Mullen	Ware
Edmundson	Jones (Cleburne)	Nipper	Webb
Edwards	Jordan (Etowah)	Norman	Weldon
Fite	Jordan (Washington)	Owens	Winn
Frey			

—65

Which was a majority of the whole number elected to the House.

BILLS ON THIRD READING

With amendment:

S. 356. To establish an inferior court in precinct 42, in Jefferson County, Alabama, to be called the Inferior Court of North Birmingham, in lieu of all justices of the peace in said precinct and in lieu of all notaries public with powers of justices of the peace and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory or any part thereof, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof. To provide for a place of holding said court, the terms and salaries of the judge and officers of said court, the manner of their appointment and election and the payment of their salaries and that said court shall be a court of record.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary. Said Committee amendment being as follows:

AMENDMENT TO SENATE BILL NO. 356

Amendment No. 1. Amend the title of said bill by striking the word "judge" in lines 9 and 11 and by adding after the last word in said title the following: Said court shall be a branch of the Third Division, Municipal Court of Birmingham, Alabama.

Amendment No. 2. Amend Section 1 of said bill by adding after the last word in said section the following: Said court shall be a branch of the Third Division, Municipal Court of Birmingham, Alabama.

Amendment No. 3. Amend Section 2 of said Bill by striking same in toto and inserting in lieu thereof the following: The Judges of the Third and First Divisions of the Municipal Court of Birmingham, Alabama, shall be judges of said Court and hold court one day each week. The Judge of the Third Division of the Municipal Court of Birmingham shall hold court the first week after the approval of this Act on the day he may set for holding same and thereafter the Judge of the Third and First Divisions of said court shall alternate weekly and shall give notice to the Clerk of the court what day they will hold court.

Amendment No. 4. Amend Section 3 of said bill by striking same in toto and inserting in lieu thereof the following: The Judge of the First and Third Divisions of the Municipal Court of Birmingham, shall receive no additional compensation for holding said court.

Amendment No. 5. Amend Section 4 of said bill by striking same in toto and by inserting in lieu thereof the following: The Judge of the Third Division of the Municipal Court of Birmingham shall appoint an assistant clerk for said court whose salary shall be fixed by the Board of Revenue of Jefferson county, Alabama, and shall be paid as other county employees are paid. Said assistant clerk shall give bond to the clerk of the Municipal Court of Birmingham, Third Division, in such amount as the Judge of said court may require. Said Assistant Clerk shall issue all papers in the name of the Clerk of the Third Division of the Municipal Court of Birmingham and shall have all the power, duties, authority and responsibility of the other assistant clerks of said court.

Amendment No. 6. Amend Section No. 5 of said bill by striking the same in toto and by inserting in lieu thereof the following: The Judges of the Third and First Divisions of the Municipal Court of Birmingham shall have and exercise all the powers and authority and perform all the duties of the Court the same as they have and exercise in the Third and First Divisions of Municipal Court of Birmingham, respectively.

Amendment No. 7. Amend section 6 by adding before the word "clerk" wherever it appears the word "assistant".

Amendment No. 8. Amend said bill by striking section 20 in toto.

Amendment No. 9. Amend sections 22 and 23 of said bill by adding before the word "clerk" where same appears the word "assistant."

Amendment No. 10. Amend said bill by striking Sections 28 and 29 in toto and by inserting in lieu of Section 28 the following: This Act shall take effect upon its approval by the Governor.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker

Adcock

Allen

Bartlett

Beebe

Brunson

Burleson

Burns

Cannon

Carter

Christian

Cook

Darden

Denson

Edmundson

Edwards

Fite

Frey

Golson

Goodwyn

Graves

Green

Grove

Gullatt

Guy

Hampton

Harwood

Hawkins

Hightower

Hollis

Howard

Hubbard

Hughes

Jeter

Johnson

Matthews

Merrill

Miller (Marengo)

Miller (Sumter)

Molette

Morrow

Moxley

Mullen

Nipper

Norman

Parish

Patterson

Pegues

Pitts

Rogers (Elmore)

Rogers (Mobile)

Sanders (Conecuh)

Sanders (Pike)

Sanderson

Shivers

Simpson

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Thompson

Tompkins

Tunstall

Waddell

—65

And said Bill:

S. 356. To establish an inferior court in precinct 42, in Jefferson County, Alabama, to be called the Inferior Court of North Birmingham, in lieu of all justices of the peace in said precinct and in lieu of all notaries public with powers of justices of the peace and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory or any part thereof, to define the jurisdiction and powers of said court, the clerk and other officers thereof. To provide for a place of holding said court, the terms and salaries of the Judge and officers of said court, the manner of their appointment and election and the payment of their salaries and that said court shall be a court of record.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Frey	Lovelace	Ringer
Adcock	Golson	Luck	Rogers (Elmore)
Allen	Goode	McAdory	Rogers (Mobile)
Anderson	Goodwyn	Matthews	Sanderson
Ashcraft	Graves	Merrill	Shepherd
Baldwin	Green	Miller (Marengo)	Simpson
Bartlett	Grove	Miller (Sumter)	Smith
Beebe	Gullatt	Monk	Starnes
Brunson	Hawkins	Morrow	Stewart (Bibb)
Burleson	Hightower	Parish	Stewart (Calhoun)
Cook	Jeter	Patterson	Waddell
Darden	Jones (Bullock)	Pegues	Wallace
Deloney	Jones (Cleburne)	Pitts	Ward (Geneva)
Denson	Jordan (Etowah)	Poole	Ward (Tuscaloosa)
Edmundson	Jordan (Washington)	Powell	Weldon
Edwards	Lee	Quillin	Winn
Fite			

—65

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

Was taken up. Mr. Sanders of Conecuh offered the following amendment to the Bill S. 569.

Amend Senate Bill 569 by substituting the figures \$1200.00 for the figures \$1800.00 where they appear in the bill.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cook	Johnson	Poole
Adcock	Darden	Luck	Powell
Allen	Deloney	McAdory	Quillin
Anderson	Denson	Matthews	Sanders (Conecuh)
Ashcraft	Goode	Merrill	Sanders (Pike)
Baldwin	Goodwyn	Miller (Marengo)	Sanderson
Bartlett	Graves	Miller (Sumter)	Shepherd
Beebe	Green	Monk	Shivers
Brunson	Grove	Morrow	Simpson
Bryant	Gullatt	Mullen	Smith
Burleson	Guy	Nipper	Tunstall
Burns	Hampton	Norman	Waddell
Byars	Howard	Owens	Ware
Cannon	Hubbard	Parish	Webb
Carter	Hughes	Pegues	Weldon
Christian	Jeter	Pitts	Winn
Cockrell			

—65

And said Bill:

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the

payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Merrill	Shepherd
Baldwin	Green	Miller (Marengo)	Shivers
Bartlett	Grove	Miller (Sumter)	Simpson
Burns	Gullatt	Molette	Smith
Byars	Guy	Mullen	Stewart (Bibb)
Cockrell	Hawkins	Nipper	Stewart (Calhoun)
Cook	Hightower	Parish	Thompson
Darden	Jones (Bullock)	Patterson	Tompkins
Deloney	Jones (Cleburne)	Pegues	Tunstall
Denson	Jordan (Etowah)	Pitts	Vickers
Edmundson	Jordan (Washington)	Quillin	Waddell
Edwards	Lee	Rogers (Mobile)	Wallace
Fite	Luck	St. John	Ward (Geneva)
Frey	McAdory	Sanders (Conecuh)	Ward (Tuscaloosa)
Golson	Martin	Sanders (Pike)	Ware
Goode	Matthews	Sanderson	Webb
Goodwyn			

—65

S. 164. For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Grove	Merrill	St. John
Allen	Gullatt	Miller (Marengo)	Sanders (Conecuh)
Ashcraft	Hawkins	Miller (Sumter)	Sanders (Pike)
Baldwin	Hightower	Molette	Sanderson
Bartlett	Hubbard	Morrow	Shepherd
Beebe	Jeter	Mullen	Simpson
Bryant	Jones (Bullock)	Nipper	Smith
Burleson	Jones (Cleburne)	Norman	Starnes
Burns	Jordan (Etowah)	Owens	Stephens
Byars	Jordan (Washington)	Parish	Stewart (Bibb)
Edmundson	Lee	Patterson	Stewart (Calhoun)
Edwards	Lovelace	Pegues	Thompson
Frey	Luck	Pitts	Tunstall
Goode	McAdory	Poole	Vickers
Goodwyn	Martin	Rogers (Elmore)	Waddell
Graves	Matthews	Rogers (Mobile)	Winn
Green			

—65

S. 384. To create and establish the court of common pleas of Calhoun County; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court; to provide for the transfer of the cases from the

docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Graves	Miller (Marengo)	Sanders (Conecuh)
Adcock	Green	Miller (Sumter)	Sanders (Pike)
Allen	Grove	Molette	Sanderson
Anderson	Gullatt	Monk	Shepherd
Ashcraft	Guy	Morrow	Shivers
Baldwin	Hampton	Mullen	Simpson
Bartlett	Hightower	Nipper	Stewart (Calhoun)
Beebe	Jones (Bullock)	Norman	Thompson
Burns	Jones (Cleburne)	Owens	Vickers
Byars	Jordan (Etowah)	Parish	Waddell
Cannon	Jordan (Washington)	Patterson	Ward (Geneva)
Cockrell	Lee	Pegues	Ward (Tuscaloosa)
Darden	Luck	Pitts	Ware
Deloney	Martin	Reeder	Webb
Denson	Matthews	Ringer	Weldon
Goode	Merrill	Rogers (Mobile)	Winn
Goodwyn			

—65

S. 407. To amend Sections 5 and 14 of an act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Guy	Mullen	Smith
Ashcraft	Hawkins	Nipper	Starnes
Brunson	Hightower	Norman	Stephens
Bryant	Hollis	Owens	Stewart (Bibb)
Carter	Howard	Parish	Stewart (Calhoun)
Christian	Hubbard	Patterson	Thompson
Cockrell	Kirkpatrick	Pegues	Tompkins
Cook	Lovelace	Pitts	Tunstall
Darden	Luck	Poole	Vickers
Deloney	McAdory	Reeder	Waddell
Frey	Martin	Ringer	Ward (Geneva)
Golson	Matthews	Rivers	Ward (Tuscaloosa)
Goodwyn	Merrill	Sanderson	Ware
Graves	Molette	Shepherd	Webb
Green	Monk	Shivers	Weldon
Grove	Morrow	Simpson	Winn
Gullatt			

—65

S. 575. To authorize Dallas County or the City of Selma to remit taxes which may be assessed by such County or City, for County or Municipal purposes, against any manufacturing enterprise now or hereafter located in such County or Municipality, for a period of not exceeding ten years.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	McAdory	Ringer
Ashcraft	Goodwyn	Matthews	Rivers
Baldwin	Graves	Miller (Marengo)	Rogers (Elmore)
Bartlett	Green	Miller (Sumter)	Rogers (Mobile)
Beebe	Gullatt	Mullen	Sanders (Conecuh)
Brunson	Guy	Nipper	Sanders (Pike)
Bryant	Hawkins	Norman	Sanderson
Burleson	Hightower	Owens	Shepherd
Burns	Hollis	Parish	Simpson
Byars	Howard	Patterson	Tunstall
Cannon	Jones (Bullock)	Pegues	Vickers
Christian	Jones (Cleburne)	Pitts	Waddell
Cockrell	Jordan (Etowah)	Poole	Ware
Darden	Jordan (Washington)	Powell	Webb
Deloney	Lee	Quillin	Weldon
Denson	Lovelace	Reeder	Winn
Edmundson			

—65

S. 397. To appropriate the sum of \$700.00 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

Was read a third time at length and passed.

Yeas, 54; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Johnson	Reeder
Adcock	Fite	Jones (Cleburne)	Rogers (Elmore)
Anderson	Frey	Jordan (Washington)	Rogers (Mobile)
Ashcraft	Goodwyn	Lee	Sanders (Concuh)
Baldwin	Green	Luck	Sanders (Pike)
Beebe	Grove	McAdory	Sanderson
Bryant	Guy	Matthews	Simpson
Burleson	Hampton	Miller (Marengo)	Stephens
Cannon	Hawkins	Nipper	Thompson
Christian	Hightower	Norman	Ward (Tuscaloosa)
Cockrell	Howard	Pegues	Ware
Darden	Hubbard	Pitts	Webb
Deloney	Hughes	Quillin	Weldon
Edmundson	Jeter		

—54

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Circuit Judge in the tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to-wit, from April 14th to May 25th, 1924.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Johnson	Pegues
Adcock	Golson	Kirkpatrick	Pitts
Allen	Goode	Langdon	Poole
Beebe	Goodwyn	Lawler	Powell
Brunson	Graves	Lee	Quillin
Bryant	Green	Lovelace	Sanderson
Burns	Grove	Luck	Shepherd
Byars	Gullatt	McAdory	Shivers
Cannon	Guy	Martin	Simpson
Carter	Hawkins	Molette	Smith
Cook	Hightower	Monk	Starnes
Darden	Hollis	Morrow	Stephens
Deloney	Howard	Nipper	Ward (Geneva)
Denson	Hubbard	Norman	Ward (Tuscaloosa)
Edmundson	Hughes	Owens	Ware
Edwards	Jeter	Parish	Webb
Fite			

—65

S. 442. To authorize the City School Board or City Board of Education or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

Was read a third time at length and passed;
Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Graves	Merrill	Rivers
Allen	Green	Miller (Marengo)	Rogers (Mobile)
Bartlett	Grove	Miller (Sumter)	St. John
Brunson	Hawkins	Molette	Sanders (Conecuh)
Bryant	Hightower	Monk	Sanders (Pike)
Burleson	Hollis	Morrow	Sanderson
Burns	Howard	Mullen	Shepherd
Byars	Hubbard	Nipper	Shivers
Cannon	Hughes	Norman	Simpson
Carter	Jeter	Owens	Smith
Christian	Johnson	Parish	Starnes
Cockrell	Lee	Patterson	Stephens
Cook	Luck	Pegues	Ware
Darden	McAdory	Pitts	Webb
Deloney	Martin	Reeder	Weldon
Denson	Matthews	Ringer	Winn
Edmundson			

—65

S. 386. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said town as hereby extended, altered and rearranged.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Graves	Morrow	Shivers
Adcock	Green	Moxley	Simpson
Anderson	Grove	Mullen	Smith
Ashcraft	Guy	Nipper	Starnes
Burleson	Hawkins	Norman	Stephens
Christian	Hightower	Owens	Stewart (Bibb)
Cockrell	Hollis	Parish	Thompson
Cook	Howard	Patterson	Tompkins
Darden	Jones (Bullock)	Pegues	Tunstall
Deloney	Jones (Cleburne)	Pitts	Vickers
Denson	Jordan (Etowah)	Poole	Waddell
Edmundson	Jordan (Washington)	Powell	Wallace
Edwards	Luck	Quillin	Ware
Fite	McAdory	Reeder	Webb
Frey	Martin	Rogers (Mobile)	Weldon
Goode	Merrill	Shepherd	Winn
Goodwyn			

—65

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Was read a third time at length and passed.
Yeas, 55; Nays, 0.

Yeas:

Messrs.:

Allen	Frey	Jordan (Washington)	Rogers (Elmore)
Anderson	Goode	Luck	Rogers (Mobile)
Ashcraft	Goodwyn	McAdory	Sanders (Pike)
Beebe	Green	Martin	Sanderson
Burleson	Grove	Monk	Simpson
Burns	Hawkins	Mullen	Smith
Carter	Hightower	Nipper	Stephens
Cockrell	Hollis	Norman	Tunstall
Cook	Howard	Patterson	Waddell
Darden	Hubbard	Pitts	Ward (Tuscaloosa)
Denson	Hughes	Quillin	Ware
Edmundson	Jeter	Reeder	Webb
Edwards	Johnson	Ringer	Weldon
Fite	Jones (Bullock)	Rivers	

—55

S. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Appropriations. Said Committee amendment being as follows:

Amendment to Senate Bill No. 360 by appropriations Committee.

Amend Senate Bill No. 360 by inserting immediately after the word "ascertain" where it first occurs in Section No. 2, (two) the words "whether the said claim is valid against the State."

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Adcock	Hawkins	Morrow	Smith
Allen	Hightower	Mullen	Starnes
Anderson	Hughes	Nipper	Stephens
Ashcraft	Jeter	Patterson	Stewart (Bibb)
Baldwin	Johnson	Pegues	Stewart (Cathou)
Bartlett	Jones (Bullock)	Pitts	Thompson
Beebe	Jordan (Etowah)	Powell	Tompkins
Brunson	Jordan (Washington)	Quillin	Tunstall
Burns	Lee	Rogers (Elmore)	Vickers
Carter	Luck	Rogers (Mobile)	Waddell
Cook	McAdory	Sanders (Conecuh)	Ward (Geneva)
Darden	Martin	Sanders (Pike)	Ward (Tuscaloosa)
Deloney	Matthews	Sanderson	Ware
Denson	Merrill	Shepherd	Webb
Edwards	Molette	Shivers	Weldon
Fite	Monk	Simpson	Winn
Gullatt			

—65

And said Bill:

S. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

As amended was read a third time at length and passed.

Yeas, 58; Nays, 0.

Yeas:

Messrs:

Adcock	Goodwyn	Miller (Marengo)	Ringer
Bryant	Green	Miller (Sumter)	Rivers
Burleson	Grove	Molette	Rogers (Mobile)
Burns	Hawkins	Monk	Sanderson
Cannon	Hightower	Morrow	Shepherd
Christian	Hollis	Mullen	Simpson
Cockrell	Hughes	Nipper	Stephens
Cook	Jeter	Norman	Thompson
Darden	Johnson	Owens	Tompkins
Deloney	Jones (Bullock)	Parish	Waddell
Denson	Jordan (Etowah)	Patterson	Ward (Tuscaloosa)
Edmundson	Jordan (Washington)	Pitts	Ware
Edwards	Lee	Quillin	Webb
Fite	Luck	Reeder	Weldon
Frey	Matthews		

—58

S. 524. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the board of revenue and road commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order or judgment of said courts; making it an offense for any person knowingly and willfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said juvenile courts; providing for the apprehension of such children and persons and the com-

mitment of children to any family, association or institution, for the transportation of such children and the payment of cost by said counties; providing for the commitment of juvenile delinquents and dependents to any family, association or institution, within the State to which they may be respectively committed and providing for the payment of the cost thereof by the board of revenue and road commissioners, or by whatever name they shall be known of said counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said courts, and for the protection of said children against disqualification or prejudice in other courts in the civil service of the State or municipality on account of any judgment or order of said court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Was read a third time at length and passed;
Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Merrill	Smith
Adcock	Grove	Morrow	Starnes
Allen	Gullatt	Mullen	Stephens
Baldwin	Hawkins	Nipper	Stewart (Bibb)
Bartlett	Hightower	Norman	Stewart (Calhoun)
Bryant	Hollis	Owens	Thompson
Burleson	Howard	Parish	Tompkins
Cannon	Hubbard	Patterson	Tunstall
Cook	Hughes	Pegues	Vickers
Darden	Jeter	Pitts	Waddell
Deloney	Lee	Reeder	Ward (Geneva)
Denson	Lovelace	Ringer	Ward (Tuscaloosa)
Fite	Luck	Sanderson	Ware
Frey	McAdory	Shepherd	Webb
Golson	Martin	Shivers	Weldon
Goode	Matthews	Simpson	Winn
Goodwyn			

—65

S. 421. To fix the compensation or salary of sheriffs of the State of Alabama in counties having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the method, basis and payment of such compensation.

Was read a third time at length and passed.
Yeas, 63; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Brunson	Christian	Deloney
Anderson	Bryant	Cockrell	Denson
Bartlett	Burleson	Cook	Edwards
Beebe	Burns	Darden	Fite

Frey	Jones (Cleburne)	Norman	Rogers (Mobile)
Golson	Jordan (Etowah)	Owens	Sanders (Conecuh)
Goode	Jordan (Washington)	Parish	Shepherd
Goodwyn	Lee	Patterson	Shivers
Graves	Lovelace	Pegues	Smith
Green	Luck	Pitts	Stewart (Calhoun)
Hawkins	McAdory	Poole	Thompson
Hightower	Miller (Marengo)	Powell	Tompkins
Howard	Miller (Sumter)	Quillin	Tunstall
Jeter	Morrow	Reeder	Vickers
Johnson	Mullen	Ringer	Waddell
Jones (Bullock)	Nipper	Rivers	

—63

Nays:—Messrs. Edmundson and Simpson—2.

S. 128. To amend Section 1185 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Deloney	Lovelace	Rogers (Elmore)
Adcock	Denson	Luck	Rogers (Mobile)
Allen	Edmundson	McAdory	Simpson
Anderson	Goode	Martin	Smith
Ashcraft	Goodwyn	Matthews	Starnes
Baldwin	Graves	Merrill	Stephens
Bartlett	Green	Miller (Marengo)	Thompson
Beebe	Grove	Miller (Sumter)	Tunstall
Brunson	Gullatt	Molette	Vickers
Bryant	Guy	Morrow	Waddell
Burleson	Hawkins	Parish	Wallace
Byars	Hightower	Patterson	Ward (Geneva)
Burns	Howard	Pegues	Ware
Cannon	Hubbard	Pitts	Webb
Carter	Jeter	Reeder	Weldon
Christian	Lee	Rivers	Winn
Darden			

—65

S. 321. To authorize the Governor to re-convey to the National Guard Units of Jefferson County for armory purposes lots 7 and 8, Block 21, South Smithfield, which said lots were conveyed by battery D Armory Company to the State of Alabama under deed of Date September 29, 1925.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Frey	Howard
Adcock	Carter	Golson	Hubbard
Anderson	Christian	Goode	Hughes
Baldwin	Cockrell	Goodwyn	Jones (Bullock)
Byars	Edmundson	Graves	Jones (Cleburne)
Burns	Edwards	Hawkins	Jordan (Etowah)

Jordan (Washington)	Moxley	Sanders (Pike)	Thompson
Luck	Mullen	Sanderson	Tunstall
McAdory	Nipper	Shenherd	Vickers
Martin	Norman	Shivers	Waddell
Matthews	Owens	Simpson	Ward (Geneva)
Merrill	Parish	Smith	Ward (Tuscaloosa)
Miller (Marengo)	Powell	Starnes	Ware
Miller (Sumter)	Reeder	Stephens	Webb
Molette	Rogers (Mobile)	Stewart (Bibb)	Weldon
Monk	Sanders (Conecuh)	Stewart (Calhoun)	Winn
Morrow			

—65

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of county commissioners of said county; to divide said county of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to courts of county commissioners, boards of revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, fixing their term of office, and providing for the election of their successors.

Was taken up. Mr. Sanders of Pike offered the following amendment to the Bill S. 445.

AMENDMENT TO S. 445

Amend section 2 of Senate Bill 445 so that it shall read as follows:

Section 2. The court of county commissioners of Pike County, as now constituted, is hereby abolished upon the approval of this Act by the Governor, and there is hereby conferred upon said Board of Revenue all jurisdiction and powers which are now vested by law in the court of county commissioners of Pike County or that may hereafter be vested by law in the Board of Revenue of Pike County, and nothing contained in this act shall be construed to amend, modify or repeal any existing local law for Pike County and all such local laws shall remain in full force and effect as to and shall govern and control the Board of Revenue and apply thereto as fully as they now do to the Court of County Commissioners, except in so as they relate to the number of days for which they may receive compensation.

Amend section 3 of Senate Bill No. 445 by adding at the end thereof the following: "Provided, that nothing contained in this section shall prevent the Board of Revenue from changing or re-

arranging the said districts from time to time in the manner provided by law."

Amend Section 6 of Senate Bill No. 445 so that it shall read as follows: Section 6. That the members of the Board of Revenue, except the Judge of Probate, shall each be entitled to receive six dollars (\$6.00) per day for each day's attendance upon the meetings of said Board, and five cents per mile travelled while engaged in the performance of their official duties; provided, however, that no member shall on any account receive any compensation either for per diem services or for mileage travelled for more than sixty days during any one calendar year. The per diem and mileage compensation of the members of said Board of Revenue herein provided for shall be paid on itemized claims verified by affidavits, and audited, allowed and ordered paid as are other claims against the county and shall be payable out of the county treasury.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Morrow	Shivers
Anderson	Grove	Mullen	Simpson
Ashcraft	Guy	Nipper	Smith
Brunson	Hubbard	Norman	Starnes
Bryant	Hughes	Owens	Stephens
Burleson	Jeter	Parish	Stewart (Bibb)
Byars	Johnson	Pegues	Stewart (Calhoun)
Cannon	Lee	Pitts	Thompson
Carter	Lovelace	Poole	Tompkins
Christian	Luck	Powell	Tunstall
Cockrell	McAdory	Quillin	Vickers
Cook	Martin	Reeder	Waddell
Darden	Matthews	Ringer	Ware
Deloney	Merrill	Rivers	Webb
Denson	Molette	Sanderson	Weldon
Fite	Monk	Shepherd	Winn
Frey			

—65

And said Bill:

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of county Commissioners of said county; to divide said County of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to Courts of County Commissioners,

Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue fixing their term of office, and providing for the election of their successors.

As amended was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Cook	Jones (Bullock)	Quillin
Adcock	Darden	Jones (Cleburne)	Reeder
Allen	Deloney	Jordan (Etowah)	Ringer
Anderson	Denson	Jordan (Washington)	Rogers (Elmore)
Ashcraft	Goode	Lee	Rogers (Mobile)
Baldwin	Goodwyn	Lovelace	Sanders (Pike)
Bartlett	Graves	Monk	Thompson
Beebe	Green	Morrow	Tunstall
Brunson	Grove	Mullen	Vickers
Bryant	Gullatt	Nipper	Waddell
Burns	Guy	Norman	Ward (Geneva)
Byars	Hawkins	Owens	Ward (Tuscaloosa)
Cannon	Hollis	Parish	Ware
Carter	Howard	Pegues	Webb
Christian	Hughes	Pitts	Weldon
Cockrell	Johnson	Poole	Winn

Nay:—Mr. Hubbard.—1.

—64

BILL INDEFINITELY POSTPONED

On motion of Mr. Mullen the Bill S. 517 was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills and returns same herewith to the House:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6996, 7003, 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215 and 7219 of the Code of 1923.

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding twenty million (\$20,000,000.00) dollars for the construction and improvement of permanent public school buildings and other educational buildings

in Alabama; to provide for the expenditure of the proceeds of such part of a State bond issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a State-wide school building survey, and to make an appropriation therefor.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Cockrell the House concurred in and adopted the Senate amendment to the Bill H. 586. Said Senate amendment being as follows:

Amend House Bill No. 586 as follows:

Amend the title of the bill by striking therefrom in the last line thereof the word and figures "and 7219" and by adding at the end thereof the following:

"To repeal Sections 6975, 6977 and 7219 of the Code of 1923. To authorize the Secretary of State as Corporation Commissioners ex-officio to employ clerical assistants to enable him to perform the duties required of him under the provisions of this Act; providing that one of such assistants shall be by the Secretary of State as Corporation Commissioner ex-officio designated as Corporation Commissioner; fixing his term of office; prescribing his duties and fixing the salaries or compensation of such assistants and making an appropriation therefor."

Further amend the bill by adding after Section 72 thereof the following Sections:

Section 72A. That Sections 6975, 6977 and 7219 of the Code of Alabama of 1923 be and the same are hereby repealed.

Section 72B. That upon the passage, approval and taking effect of the provisions of this Act, the Secretary of State as Corporation Commissioner ex-officio, is hereby authorized to appoint such clerical assistants as may be necessary to enable him to perform the duties required of him under the provisions hereof. One of such assistants so appointed shall be designated as Corporation Commissioner and shall do and perform such acts and things, under his own name and title, as is required of the Secretary of State as Corporation Commissioner ex-officio.

Before entering upon the discharge of his duties the assistant designated as Corporation Commissioner shall take and subscribe to the oath of office required of State Officers and shall also give bond in the sum of five thousand (\$5,000.00) dollars, with some reliable surety company qualified to do business in this State, and approved by the Governor, conditioned that he will well and

truly account for and certify into the State Treasury, all monies coming into his hands as Corporation Commissioner, the premium on said bond to be paid for by the State as other official bonds are paid.

Section 72C. The term of the assistant designated as Corporation Commissioner shall be for the term of the Secretary of State.

Section 72D. That the salary or compensation of the assistant designated as Corporation Commissioner shall be thirty-six hundred (\$3,600.00) dollars per annum payable in equal monthly installments out of the State Treasury as other salaries are paid.

Section 72E. That the other assistants appointed by the Secretary of State as Corporation Commissioner ex-officio herein provided for shall be paid such salaries or compensation as may be approved by the Governor, said salaries or compensation to be paid in equal monthly installments out of the State Treasury as other salaries are paid.

Section 72F. That there is hereby appropriated out of any monies in the State Treasury, not otherwise appropriated, the sum of ten thousand (\$10,000.00) dollars, or so much thereof as may be necessary, to pay the salaries or compensation of the assistants herein provided for.

Yeas, 59; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	McAdory	Ringer
Adcock	Fite	Martin	Rivers
Allen	Frey	Matthews	Sanders (Pike)
Anderson	Goode	Merrill	Sanderson
Ashcraft	Goodwyn	Miller (Marengo)	Shepherd
Baldwin	Grove	Miller (Sumter)	Simpson
Beebe	Hawkins	Molette	Stewart (Calhoun)
Brunson	Hightower	Mullen	Tunstall
Bryant	Hollis	Nipper	Vickers
Burleson	Hubbard	Norman	Ward (Tuscaloosa)
Carter	Hughes	Parish	Ware
Cockrell	Jeter	Patterson	Webb
Cook	Jones (Cleburne)	Pitts	Weldon
Deloney	Jordan (Etowah)	Quillin	Winn
Edmundson	Jordan (Washington)	Reeder	

—59

On motion of Mr. Beebe the House nonconcurrent in the Senate amendment to the Bill H. 1124. Said Senate amendment being as follows:

Amend H. B. 1124 by striking from Section 10 thereof the following language, to-wit:

Any funds not exceeding \$150,000.00 in addition to those specifically apportioned by this Act and by the constitutional

amendment validating this Act accruing from the sale of said state bond issue are hereby apportioned and appropriated to the State Normal School at Daphne to be released in the same manner and used for the same purposes as the funds specifically apportioned by this Act to said school.

Yeas, 42; Nays, 38.

Yeas:

Messrs.:

Mr. Speaker	Goode	Martin	Rogers (Mobile)
Anderson	Goodwyn	Merrill	Sanderson
Baldwin	Green	Morrow	Shepherd
Beebe	Grove	Norman	Simpson
Cannon	Guy	Parish	Stewart (Bibb)
Christian	Hawkins	Patterson	Thompson
Cook	Jeter	Pitts	Vickers
Darden	Jordan (Etowah)	Quillin	Waddell
Deloney	Jordan (Washington)	Reeder	Ward (Geneva)
Edmundson	Lawler	Ringer	Weldon
Edwards	Lee		

—42

Nays:

Messrs:

Adcock	Frey	Molette	Starnes
Allen	Graves	Monk	Stephens
Ashcraft	Hightower	Mullen	Stewart (Calhoun)
Bryant	Hollis	Nipper	Tompkins
Burleson	Hubbard	Pegues	Tunstall
Burns	Hughes	Rivers	Ward (Tuscaloosa)
Carter	Jones (Bullock)	Rogers (Elmore)	Ware
Cockrell	Jones (Cleburne)	Sanders (Pike)	Webb
Desear	Miller (Marengo)	Smith	Winn
Fite	Miller (Sumter)		

—38

And on motion of Mr. Beebe a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the Bill H. 1124. And the Speaker of the House named as Conferees on the part of the House Messrs. Beebe, Goodwyn, and Rogers of Mobile.

RECESS

The hour of 5:30 o'clock P. M. having arrived the House under a Joint Resolution heretofore adopted, recessed until 7:30 o'clock P. M. tonight.

NIGHT SESSION

The hour of 7:30 o'clock P. M. having arrived the House reconvened.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 341. Provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

Also:

H. 6. To amend Section 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041, Code of Alabama of 1923 relating to Geological survey.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof.

S. 519. To make appropriation for the erection on the battlefield at Gettysburg for a monument in perpetuation of the soldiers from Alabama.

S. 450. To repeal Section 2999, Code of Alabama 1923.

S. 171. To make an appropriation for the Equipment and maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond, Virginia.

S. 271. To amend section 2984, Code 1923.

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

S. 280. To amend Section 3183 of the Code of 1923.

S. 449. To abolish the board of managers of the State Training School for Girls; to create a board of trustees in lieu thereof; to provide for their appointment and fix their terms of office.

S. 221. To amend Section 5523 of the Code of Alabama, 1923.

S. 220. To amend Section 10288 of the Code of Alabama of 1923. *

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, the body in which it originated, House Bill No. 33 without my approval. I suggest the following executive amendments, which if concurred in by the Legislature of Alabama, will remove my objections to the bill.

Amend the caption of the bill to read as follows:

"An Act to authorize the loan of money at six (6%) per cent per annum or less and to regulate such transactions; to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments."

Amend Section 1 of the bill by adding the words "per annum" after the words and figures six (6%) per cent where said words appear together in said Section.

Amend the bill by adding Section One and one-half (1½) immediately after Section 1 and immediately preceding Section 2 to read as follows:

Section 1½. Every person, firm or corporation availing himself or itself of the provisions of this Act shall first conform to and operate under and be subject to all supervisory, regulatory, inspection and taxation laws applicable to building and loan associations doing business in the State of Alabama."

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Waddell, the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 33. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 60; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Edwards	Martin	Sanders (Conecuh)
Adcock	Fite	Matthews	Sanders (Pike)
Allen	Frey	Miller (Marengo)	Sanderson
Anderson	Golson	Molette	Simpson
Ashcraft	Goode	Morrow	Smith
Baldwin	Graves	Nipper	Starnes
Beebe	Grove	Norman	Stephens
Brunson	Hampton	Parish	Tompkins
Burleson	Hollis	Pegues	Tunstall
Burns	Hubbard	Pitts	Waddell
Cockrell	Hughes	Reeder	Ward (Tuscaloosa)
Darden	Jeter	Ringer	Ware
Deloney	Johnson	Rivers	Webb
Denson	Jones (Cleburne)	Rogers (Elmore)	Weldon
Edmundson	Jordan (Washington)	Rogers (Mobile)	Winn

—60

Nays:—Messrs. Cannon and Hightower—2.

Which was a majority of the whole number elected to the House.

And said bill,

H. 33. To authorize the loan of money at six per cent (6%) or less, and to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

As amended, was again read a third time at length and passed.

Yeas, 59; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Darden	Hollis	Nipper
Adcock	Deloney	Jeter	Norman
Allen	Denson	Johnson	Parish
Anderson	Edmundson	Jones (Cleburne)	Pitts
Ashcraft	Edwards	Jordan (Etowah)	Reeder
Baldwin	Fite	Jordan (Washington)	Ringer
Beebe	Frey	Matthews	Rivers
Brunson	Goode	Merrill	Rogers (Elmore)
Burleson	Goodwyn	Miller (Marengo)	Rogers (Mobile)
Burns	Graves	Molette	Sanders (Conecuh)
Christian	Grove	Morrow	Sanders (Pike)
Cockrell	Hampton	Mullen	Sanderson

Shepherd	Smith	Waddell	Webb
Shivers	Starnes	Ward (Tuscaloosa)	Weldon
Simpson	Tunstall	Ware	

—59

Nays:—Messrs. Cannon and Hightower—2.

Which was a majority of the whole number elected to the House.

BILL ON THIRD READING

S. 427. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama, so as to fix the debt limitation of all cities, towns, villages, and other municipal corporations of the State of Alabama, to set out the kinds of indebtedness not included in such limitations, and to provide for the levy and collection of a tax in every city, town, village, or other municipal corporation in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Was taken up. Mr. Allen offered the following amendment to the bill:

Amend S. 427 by striking out at the end of Section one the following words:

“Provided that this amendment shall not apply to the cities, towns and villages in Wilcox and Marengo Counties”.

And the amendment was adopted.

Yeas, 73; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Fite	McAdory	Rogers (Elmore)
Adcock	Frey	Martin	Rogers (Mobile)
Allen	Golson	Matthews	Sanders (Pike)
Anderson	Goode	Merrill	Shepherd
Ashcraft	Goodwyn	Miller (Marengo)	Simpson
Baldwin	Graves	Miller (Sumter)	Smith
Beebe	Grove	Molette	Starnes
Brunson	Hampton	Mullen	Stephens
Bryant	Hawkins	Nipper	Stewart (Calhoun)
Burleson	Hightower	Norman	Thompson
Burns	Hubbard	Owens	Tompkins
Byars	Hughes	Parish	Tunstall
Carter	Johnson	Patterson	Waddell
Christian	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Darden	Jordan (Etowah)	Pitts	Ware
Deloney	Jordan (Washington)	Powell	Webb
Denson	Lee	Reeder	Weldon
Edmundson	Luck	Ringer	Winn
Edwards			

—73

Nays:—Messrs. Quillin, Stewart (Bibb)—2.

Mr. Fite offered the following amendment to the bill:

Amend Senate Bill No. 427 by inserting at the end of Section 1 the following words:

"Provided that this amendment shall not apply to the cities, towns and villages in the following counties:

Etowah, Montgomery, Conecuh, Covington, Barbour, Jackson, Fayette, Sumter, Lamar, Hale, Chambers, Cherokee, Franklin, Colbert, Winston, Pike, Tallapoosa, Randolph, Houston, Madison, Lowndes, Marshall, Walker, Henry.

And the amendment was adopted.

Yeas, 76; Nays, 3.

Yeas:

Messrs.:

Mr. Speaker	Frey	McAdory	Rogers (Elmore)
Adcock	Golson	Martin	Rogers (Mobile)
Allen	Goode	Matthews	Sanders (Conecuh)
Anderson	Goodwyn	Merrill	Sanders (Pike)
Ashcraft	Graves	Miller (Marengo)	Sanderson
Baldwin	Grove	Molette	Shepherd
Beebe	Guy	Morrow	Smith
Brunson	Hawkins	Mullen	Starnes
Bryant	Hightower	Nipper	Stephens
Burleson	Hollis	Norman	Stewart (Calhoun)
Burns	Hubbard	Owens	Thompson
Byars	Hughes	Parish	Tompkins
Cannon	Jeter	Pegues	Tunstall
Carter	Johnson	Pitts	Waddell
Christian	Jones (Bullock)	Powell	Ward (Geneva)
Cockrell	Jones (Cleburne)	Quillin	Ward (Tuscaloosa)
Edmundson	Jordan (Washington)	Reeder	Ware
Edwards	Lee	Ringer	Webb
Fite	Luck	Rivers	Winn

—76

Nays:

Messrs:

Deloney	Gullatt	Simpson
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—3

And said bill,

S. 427. A Bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama, so as to fix the debt limitation of all cities, towns, villages, and other municipal corporations of the State of Alabama, to set out the kinds of indebtedness not included in such limitations, and to provide for the levy and collection of a tax in every City, town, village, or other municipal corporation, in the State, sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama :

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(A) All cities, towns, villages, and other municipal corporations are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding ten per centum of the assessed valuation of the property therein, as the same is assessed for State taxation. There shall not be included in the above limitation of indebtedness the following classes of indebtedness, to-wit: (a) temporary loans for current expenses to be paid within one year, made in anticipation of the collection of taxes for the current year, and not exceeding one-fourth of the general revenues for the preceding year; (b) indebtedness already or hereafter incurred for acquiring, providing, or constructing water works, electric light and gas plants; (c) indebtedness already or hereafter incurred for sewer, street, sidewalk and other improvements whether of a like or of any different kind, to the extent that the cost thereof has been or is proposed to be assessed against the property benefited thereby; and (d) indebtedness incurred prior to September 1st, 1927, which, at the time it was incurred, was not included within the then existing constitutional limitation, and any obligations to be incurred in refunding such indebtedness.

In ascertaining the amount of indebtedness subject to this limitation there shall be deducted from the total amount of such indebtedness, sinking funds on hand and applicable solely to the payment of indebtedness subject to said limitation.

(b) Every city, town, village, or other municipal corporation, shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law, a tax on the property situated therein sufficient to pay the principal and interest falling due in that year or falling due in any prior year and remaining unpaid upon all bonds issued hereafter, including refunding bonds hereafter issued (but such refunding bonds shall mature over a period of not less than fifteen years in such installments as may be provided by law) and the officers of such now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such tax in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of

such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any such municipal corporation from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such municipal corporation or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

As amended, was read a third time at length and lost.

Yeas, 57; Nays, 21.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Miller (Marengo)	Sanders (Conecuh)
Allen	Graves	Miller (Sumter)	Shepherd
Anderson	Hawkins	Molette	Simpson
Ashcraft	Hollis	Morrow	Smith
Beebe	Jeter	Nipper	Starnes
Brunson	Johnson	Norman	Stephens
Burns	Jones (Bullock)	Owens	Stewart (Calhoun)
Byars	Jordan (Washington)	Parish	Thompson
Cockrell	Lee	Patterson	Waddell
Darden	Luck	Pegues	Ward (Geneva)
Denson	McAdory	Pitts	Ward (Tuscaloosa)
Edwards	Martin	Reeder	Webb
Fite	Matthews	Rogers (Elmore)	Weldon
Frey	Merrill	Rogers (Mobile)	Winn
Goode			

—57

Nays:

Messrs.:

Adcock	Golson	Hubbard	Sanders (Pike)
Bryant	Gullatt	Hughes	Sanderson
Cannon	Guy	Jones (Cleburne)	Stewart (Bibb)
Carter	Hampton	Mullen	Tompkins
Christian	Hightower	Quillin	Ware
Deloney			

—21

S. 193. To provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and

to repeal Sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266 Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act.

Mr. Sanderson moved to indefinitely postpone the bill, S. 193, and the motion was lost.

Yeas, 32; Nays, 52.

Yeas:

Messrs.:

Adcock	Christian	Hubbard	Sanders (Pike)
Anderson	Deloney	Jones (Cleburne)	Sanderson
Baldwin	Edwards	Parish	Stewart (Bibb)
Bryant	Golson	Pegues	Tompkins
Burleson	Gullatt	Quillin	Tunstall
Byars	Guy	Ringer	Waddell
Cannon	Hightower	Rivers	Ware
Carter	Hollis	Sanders (Conecuh)	Webb

—32

Nays:

Messrs:

Mr. Speaker	Goodwyn	Matthews	Reeder
Allen	Hawkins	Merrill	Rogers (Elmore)
Ashcraft	Hughes	Miller (Marengo)	Rogers (Mobile)
Beebe	Jeter	Miller (Sumter)	Shepherd
Brunson	Johnson	Molette	Simpson
Burns	Jones (Bullock)	Morrow	Smith
Cockrell	Jordan (Etowah)	Mullen	Starnes
Darden	Jordarr (Washington)	Nipper	Stephens
Denson	Lee	Norman	Stewart (Calhoun)
Edmundson	Lovelace	Owens	Thompson
Fite	Luck	Patterson	Ward (Tuscaloosa)
Frey	McAdory	Pitts	Weldon
Goode	Martin	Powell	Winn

—52

And said bill,

S. 193. A bill to be entitled an act to provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal Sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266 Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act.

Was read a third time at length and passed.

Yeas, 53; Nays, 32.

*Yeas:***Messrs:**

Mr. Speaker	Goodwyn	Merrill	Reeder
Allen	Grove	Miller (Marengo)	Rogers (Elmore)
Ashcraft	Liawkins	Miller (Sumter)	Rogers (Mobile)
Beebe	Jeter	Molette	Shepherd
Brunson	Johnson	Monk	Simpson
Burleson	Jones (Bullock)	Morrow	Smith
Burns	Jordan (Etowah)	Mullen	Starnes
Cockrell	Jordan (Washington)	Nipper	Stephens
Darden	Lee	Norman	Stewart (Calhoun)
Denson	Luck	Owens	Thompson
Edmundson	McAdory	Patterson	Waddell
Fite	Martin	Pitts	Ward (Tuscaloosa)
Frey	Matthews	Powell	Winn
Goode			

—53

*Nays:***Messrs.:**

Adcock	Deloney	Hughes	Sanders (Pike)
Anderson	Edwards	Jones (Cleburne)	Sanderson
Baldwin	Golson	Parish	Stewart (Bibb)
Bryant	Gullatt	Pegues	Tompkins
Byars	Hampton	Quillin	Tunstall
Cannon	Hightower	Ringer	Ware
Carter	Hollis	Rivers	Webb
Christian	Hubbard	Sanders (Conecuh)	Weldon

—32

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House Amendment to the following Senate bills:

S. 112. To amend Sections 3289, 3290, 3291, 3292, 3293 and 3294 of the Code of Alabama, relating to the crime of arson and attempt to commit arson.

Also:

S. 521. To amend Section 2011 of the Code of Alabama of 1923.

J. E. Speight,
Secretary.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House bill:

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to provide for its judge, clerks and other officers, their appointment, duties and compensation; and to fix their term of office; to provide for the

transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeal to the Circuit Court.

And find same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 521. To amend Section 2011 of the Code of Alabama, of 1923.

S. 164. For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

S. 348. To permit a sugar refinery to make or to manufacture as a by-product of and in such plant industrial alcohol or denatured alcohol, for non-beverage purposes only, in order to conserve the materials used in or incident to the manufacturing process employed in such refinery, by persons, firms or corporations, on any state owned land that constitutes, in whole or in part, any plan of development, by the state or its agency, for the improvement or expansion of any of the harbors or seaports of the state; authorizing the Governor of the State of Alabama, in his discretion, to issue permits therefor; fixing the conditions and regulations under which such alcohol may be manufactured, transported and sold and requiring the giving of a bond to the State for the faithful observance of conditions and regulations in the premises; defining the terms used in this Act; and declaring offenses against the Act and prescribing penalties for violations of this Act; and providing for the supervision of its enforcement by the Governor of Alabama.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds

vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1026. To further provide for the taxation of persons, firms and corporations doing a telegraph or telephone business or that of operating express companies in the State of Alabama.

H. 775. To prohibit the abandonment of a planted or growing crop or crops, to prescribe notice of intention to abandon such crop or crops, to prescribe the method of giving bond in case of abandonment, and to fix punishment for the unlawful abandonment of such crop or crops.

H. 459. To amend Section 1464 of the Code of Alabama.

H. 717. To designate the Goldenrod as the State Flower of Alabama.

H. 718. To designate the bird commonly called the Yellow-hammer as the State Bird.

H. 774. To designate a certain road of Alabama as a State trunk road.

H. 385. To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and the General and Local Acts of the Legislature of 1927 and to appropriate sufficient funds to pay the expenses incurred therein.

H. 682. To permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

H. 405. To further define the business of mutual aid, benefit and industrial insurance companies or associations.

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, and to provide for the salary of said judge.

H. 770. To authorize the payment of taxes which may be in litigation, and the refunding of such taxes as may be ascertained to be erroneously or illegally paid.

H. 595. To amend Section 6693 of the Code of Alabama of 1923.

H. 488. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.

H. 511. To amend Section 5619 of the Code of Alabama, 1923.

H. 530. To repeal Section 7206 of the Code of Alabama, 1923.

H. 513. To amend Section 8025 of the Code of Alabama, 1923.

H. 1131. To authorize and provide for the payment of the sum of twenty-five hundred dollars (\$2,500.00) for the relief of J. F. Clements of Montgomery County, who was injured on the 16th day of October, 1910 while in line of duty with the National Guard of Alabama.

H. 883. For the relief of W. P. Hampton, and to reimburse him for expenses incurred in doctor bills, nurse hire, hospital bills, and medicine, and other expenses paid out by him while in the hospital and before recovering, after being wounded as law enforcement officer in the discharge of his duty for the State of Alabama."

H. 1125. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing and improving public schools and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

H. 1008. To amend Sections 3023, 3024, and 3025, of the Code of Alabama.

H. 759. To authorize the board of education of any county in this State, in order to acquire, construct, or repair any school building in any school district of their respective counties, or for paying for a public school building or building already built in any such district or to raise money for any such purpose, or to pay any person, firm or corporation for labor done or material furnished or money furnished for the purpose of building any public school building in such district, the title to which is invested in the State of Alabama, to issue and sell 6% interest bearing school warrants payable out of the three mill district school taxes now levied or which may be hereafter levied and collected in said school district in such amount as may be necessary for such purpose or purposes.

H. 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, Deceased.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bills and returns same herewith to the House:

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more accord-

ing to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Jeter the House concurred in and adopted the Senate amendment to the bill, H. 1168, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 1168

Amend Section 3 of the bill so as to read as follows:

Section 3.—That this Act shall become effective upon its approval by the Governor.

Yeas, 49; Nays, 7.

Yeas:

Messrs:

Adcock	Goode	McAdory	Sanders (Conecuh)
Allen	Goodwyn	Merrill	Sanderson
Anderson	Grove	Miller (Marengo)	Shepherd
Beebe	Gullatt	Miller (Sumter)	Smith
Bryant	Hawkins	Morrow	Stephens
Burleson	Hubbard	Nipper	Stewart (Calhoun)
Burns	Hughes	Parish	Thompson
Carter	Jeter	Patterson	Tompkins
Cockrell	Johnson	Pitts	Waddell
Denson	Jones (Cleburne)	Powell	Ware
Fite	Jordan (Washington)	Rivers	Webb
Frey	Lee	Rogers (Elmore)	Winn
Golson			

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Nays:

Messrs.:

Ashcraft	Guy	Quillin	Simpson
Edmundson	Hightower	Reeder	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding twenty million (\$20,000,000.00) dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State bond issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and ex-

penditure of the proceeds of such part of a State bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a State-wide school building survey, and to make an appropriation therefor.

And the President of the Senate appointed as Conferees on part of the Senate, Messrs. Mitchell, Ellis of Dallas and Ellis of Shelby.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, has passed the following House bills, and returns same herewith to the House:

H. 64. To make an appropriation for the purpose of paying the amount due on property purchased by the State for the use of the State Training School for Girls.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Deloney the House concurred in and adopted the Senate amendment to the bill, H. 64, said Senate amendment being as follows:

SUBSTITUTE FOR HOUSE BILL NUMBER 64

H. 64. A bill to be entitled an Act to make an appropriation to the State Training School for Girls for maintenance and buildings and for the purpose of paying the amount due on property purchased by the State for use of the State Training School for Girls.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated the sum of Three Hundred and Thirty Dollars (\$330.00) per year for each inmate of the State Training School for Girls out of any moneys in the State Treasury not otherwise appropriated for each of the years of the quadrennium, beginning October 1, 1927 and ending September 30, 1931, and the State Auditor is hereby authorized and directed to draw his warrant on the State Treasurer in favor of the Treasurer of the State Training School for Girls for the payment of the amounts due said School, said amounts being determined by affidavits of the Superintendent or Treasurer of said School at the beginning of each quarter, which affi-

davits shall show the number of inmates of said school who was in said school on the last day of said quarter.

Section 2. There is hereby appropriated to the State Training School for Girls for the purpose of securing buildings and equipment the sum of Sixty Thousand Dollars (\$60,000.00) out of any moneys in the State Treasury not otherwise appropriated, payable by warrant of the State Auditor drawn upon the State Treasurer, and in such amount and at such time as may be approved by the Governor.

There is also appropriated to the State Training School for Girls the sum of Forty Thousand Dollars (\$40,000.00) out of any moneys in the State Treasury, not otherwise appropriated; said sum to be used to pay the indebtedness now due by said State Training School for Girls for lands already purchased; provided that this appropriation of Forty Thousand Dollars (\$40,000.00) shall not be available until approved by the Governor, and is not intended as a duplication of any other appropriation made by law for this purpose.

Section 3. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Yeas, 64; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Denson	Jordan (Etowah)	Rogers (Elmore)
Allen	Fite	Jordan (Washington)	Rogers (Mobile)
Anderson	Frey	Lee	Sanders (Pike)
Ashcraft	Golson	McAdory	Sanderson
Baldwin	Goode	Matthews	Shepherd
Beebe	Goodwyn	Miller (Marengo)	Simpson
Bryant	Grove	Molette	Smith
Burleson	Hampton	Morrow	Starnes
Burns	Hawkins	Nipper	Stephens
Byars	Hightower	Parish	Thompson
Cannon	Hollis	Patterson	Tompkins
Carter	Hubbard	Pegues	Waddell
Christian	Hughes	Pitts	Ward (Tuscaloosa)
Cockrell	Jeter	Reeder	Ware
Darden	Jones (Bullock)	Ringer	Webb
Deloney	Jones (Cleburne)	Rivers	Winn

MESSAGE FROM THE SENATE

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Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Craft:

S. J. R. 102. Whereas, the Mobile Register and the Montgomery Journal have been very generous in furnishing to the Members of the Senate and the House daily copies of their papers, without cost,

And whereas this courtesy and thoughtfulness on their part has been greatly appreciated.

Therefore Be It Resolved by the Senate, the House concurring, that the members of the Legislature extend to these papers their sincere thanks for the courtesy shown them.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 102 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 724. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$6,000.00 per year, net; allowance of \$8,600.00 per annum for office expenses as follows: one clerk, at \$2,500.00 per

annum; two clerks at \$1,800.00 per annum and 1 clerk at \$1,500.00 per annum; and \$1,000.00 per annum for all other expenses, including extra clerks, The said \$1,000.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$5,000.00 per year, net; allowance of \$2,400.00 per year for a chief clerk in said office; \$2,700.00 for assistant clerks in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker county shall receive a salary of \$5,000.00 per year, net; allowance of \$2,400.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$4,500.00 per year, net; allowance of \$1,800.00 per year for a chief clerk in said office and \$1,500.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year net. The County Treasurer of said county shall receive a salary of \$2,750.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall convert such fees into the County Treasury by the 10th of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the Treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama, may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries, clerk hire and allowances, including the method and basis of their compensation, also fix, regulate, and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one news-

paper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

And the President of the Senate has appointed as conferees on the part of the Senate Messrs. Williams, Young and Mitchell.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And said bill, H. 836, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 88. To appropriate Two Hundred and Fifty-five Thousand (\$255,000.00) Dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 24, Nays 0.

And said bill, H. 88, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 24, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And said bill, H. 989, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 852. Providing that in all counties of the State having a population of not less than eighty-five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the clerks of all courts in such counties shall tax fifty cents as costs in all criminal cases brought in any courts of any of said counties arising within the police jurisdiction of the largest city in such county, and pay the same, when collected into the "Municipal Employees Pension and Relief Fund" of the largest city in said county.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And said bill, H. 852, as amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wire-grass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas 20, Nays 0.

And said bill, H. 387, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas 22, Nays 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Ir. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 37. To prescribe the qualifications, duties and compensation of coroners in counties of this State of two hundred thousand inhabitants or more according to the last Federal census and any subsequent Federal census who may be hereafter elected

and to provide for a deputy or an assistant coroner and to define and prescribe the powers and duties of such deputy or assistant and to provide for the employment of a competent physician at any inquest held by such coroner, or such deputy or such assistant, and to define and prescribe his duties and to fix his compensation and to provide for the employment of stenographer by such coroners.

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

H. 1119. To fix the salary of the Probate Judge of Jefferson County, Alabama, and to provide for paying same.

J. E. Speight,
Secretary.

MOTION TO SUSPEND RULES

Mr. Sanderson moved that the rules be suspended in order that the House proceed to the consideration of the Sea Wall bills. And the motion to suspend the rules was lost.

Yeas, 50; Nays, 22.

Yeas:

Messrs.:

Adcock	Guy	Merrill	Rogers (Elmore)
Anderson	Hawkins	Miller (Sumter)	Sanders (Conecuh)
Ashcraft	Hollis	Molette	Sanders (Pike)
Baldwin	Hubbard	Nipper	Sanderson
Burleson	Hughes	Parish	Shepherd
Carter	Jeter	Patterson	Simpson
Cockrell	Jones (Cleburne)	Pegues	Stewart (Bibb)
Darden	Jordan (Etowah)	Pitts	Thompson
Deloney	Jordan (Washington)	Powell	Tompkins
Frey	Lee	Quillin	Ware
Golson	Luck	Reeder	Webb
Grove	McAdory	Ringer	Winn
Gullatt	Martin		

—50

Nays:

Messrs.:

Mr. Speaker	Edmundson	Johnson	Simpson
Allen	Fite	Matthews	Stephens
Bryant	Goode	Miller (Marengo)	Tunstall
Burns	Goodwyn	Rivers	Waddell
Cannon	Hampton	Rogers (Mobile)	Ward (Tuscaloosa)
Christian	Hightower		

—2

On motion of Mr. Fite the bills, S. 410 and S. 426 were postponed to the next Legislative Day and not to lose their place on the calendar.

On motion of Mr. Tunstall, the bills, S. 259 and S. 260 were postponed to the next Legislative Day and not to lose their place on the calendar.

BILLS ON THIRD READING

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

Was read a third time at length and passed.

Yeas, 51; Nays, 4.

Yeas:

Messrs:

Adcock	Fite	Jones (Cleburne)	Rivers
Allen	Frey	Jordan (Etowah)	Rogers (Mobile)
Anderson	Golson	Jordan (Washington)	Sanders (Pike)
Ashcraft	Goode	Lee	Simpson
Beebe	Goodwyn	Merrill	Smith
Bryant	Grove	Miller (Marengo)	Tompkins
Burleson	Gullatt	Molette	Tunstall
Burns	Guy	Monk	Waddell
Cannon	Hightower	Morrow	Ward (Tuscaloosa)
Carter	Hubbard	Nipper	Ware
Cockrell	Hughes	Parish	Webb
Darden	Jeter	Pitts	Winn
Denson	Johnson	Quillin	

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Nays:

Messrs.:

Pegues	Ringer	Sanderson	Stephens
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—4

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 50; Nays, 5.

Yeas:

Messrs:

Mr. Speaker	Edmundson	Hughes	Molette
Adcock	Fite	Jeter	Monk
Allen	Frey	Johnson	Morrow
Ashcraft	Golson	Jones (Cleburne)	Parish
Baldwin	Goode	Jordan (Etowah)	Pegues
Beebe	Goodwyn	Jordan (Washington)	Pitts
Burleson	Grove	Lee	Powell
Burns	Gullatt	Martin	Rivers
Darden	Guy	Miller (Marengo)	Rogers (Mobile)
Denson	Hubbard	Miller (Sumter)	Sanders (Pike)

Sanderson
Smith
Simpson

Tompkins
Tunstall
Waddell

Ward (Tuscaloosa)
Ware

Webb
Winn

—50

Nays:

Messrs.:

Cannon
Cockrell

Hightower

Quillin

Ringer

—5

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 10:30 A. M. on Aug. 30, 1927.

H. 902.

H. 830.

H. 1059.

H. 1022.

H. 987.

H. 802.

H. 680.

H. 354.

H. 762.

H. 869.

H. 996.

H. 1067.

H. 901.

H. 1016.

H. 988.

H. 1011.

H. 1081.

H. 1012.

H. 1025.

H. 1055.

H. 822.

H. 1002.

H. 541.

H. 276.

H. 275.

H. 134.

H. 946.

H. 143.

H. 1049.

H. 842.

H. J. R. 278.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 2:50 P. M. on Aug. 30, 1927:

H. 1149.

H. 15.

H. 720.

H. 908.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the Executive Department on the dates and hours named, and that I hold the receipt of the Executive Department for same.

Delivered to Governor at 8:50 P. M. on Aug. 30, 1927.

H. 341.

H. 6.

H. 783.

J. H. Stewart,
Clerk.

ADJOURNMENT

On motion of Mr. Cockrell the House, in accordance with a House Joint Resolution heretofore adopted, adjourned until 9 o'clock A. M. on Friday, September 2nd, 1927.

FIFTIETH DAY

House of Representatives,
Montgomery, Alabama,
Friday, September 2nd, 1927.

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Dr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Green	Matthews	Sanders (Conecuh)
Ashcraft	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Rivers	Winn
Golson	Loveland		

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A quorum was present.

JOURNAL

The Chairman of the Standing Committee on Revision of the Journal made the following report:

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 49th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 49th legislative day was approved.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 840. To repeal an Act approved February 21st, 1927 entitled "An Act to require all Tax Assessors, Tax Collectors, Judges of Probate, and Sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services and compensations, to file monthly itemized statements, under oath, with the treasurer, or such other corresponding officer, in their respective counties, showing monies received and expended by said officers in their respective offices, and departments, in all counties of the state of Alabama, having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last or any subsequent federal census, and to provide penalties for failure to file such reports.

Also:

H. 1110. Authorizing the Court of County Commissioners or other governing Board of Wilcox County to pay the premium on bonds of the Circuit Clerk, Sheriff, and Treasurer of said County.

Also:

H. 767. To validate certain bonds heretofore issued by drainage districts in Alabama.

Also:

H. 1139. To provide for the retirement of Judges of Circuit Courts or Courts of like jurisdiction in Circuits in the State of Alabama which are composed of only one county, having more than two judges and less than nine judges, or in circuits which may hereafter be composed of only one county having more than two judges and less than nine judges who have served in such capacity twenty years consecutively and have reached the age of seventy years; to provide for their compensation and to regulate the manner of their retirement.

Also:

H. 844. To authorize the construction, maintenance and operation of a toll bridge causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Also:

H. 1151. To further regulate and fix the time and places for assessing and collecting the taxes of Coffee County.

Also:

H. 789. To amend Section 1187, Section 1189, Section 1190 and Section 1193 of the Code of Alabama, 1923.

Also:

H. 420. To amend Section 13 of an Act entitled, "An Act to impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof. Approved Jan. 25, 1927.

Also:

H. 1121. To provide that the members of the Board of Revenue of Lawrence County, Alabama, shall each receive four dollars per day instead of three dollars for service rendered said County and to repeal all general, special or local laws in conflict with the provisions of this Act.

Also:

H. 858. To amend Section 955, Code of Alabama 1923, as amended by Act approved September 29, 1923, Acts 1923, page 789.

Also:

H. 546. To amend an Act entitled An Act to prescribe the qualifications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

Also:

H. 1014. To repeal a local law enacted by the Legislature of Alabama, and approved on the 20th day of August, 1915, entitled "An act to regulate the management, disposition and control of an endowment fund of ten thousand dollars given by the Sage Land and Improvement Company to the board of trustees of the high school located at Grove Hill, Alabama, to keep the building and grounds in repair and the equipment complete, the lands, buildings and equipment of said high school having heretofore been conveyed to the State of Alabama for high school purposes under the provisions of Article 20 of Chapter 41 of the Code of Alabama and the act approved April 8th, 1911, amenda-

tory thereof, entitled "An act to amend sections 1861, 1862, and 1863 of the Code of Alabama."

Also:

H. 1145. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, all the jurisdiction, powers and duties now conferred or imposed, or which may hereafter be conferred or imposed, upon the Probate Court of Walker County, Alabama, or the Judge thereof, by the several provisions of Chapter 157 of the 1923 Code of Alabama, or by any law relating to the duties of the husband toward his wife, or parents toward their children.

Also:

H. 1138. To provide for an election to authorize and empower the Board of School Commissioners of Mobile County to levy and collect annually for the operation and maintenance of public schools in the county of Mobile a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1-10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other public school taxes which are now authorized or which may hereafter be authorized by law; and to provide for the method of levying and collecting the said tax.

Also:

H. 768. To authorize Drainage Districts and sub-districts thereof now, hertofore or hereafter created to issue bonds for the payment of indebtedness now, heretofore or hereafter incurred; to provide for the assessment or reassessment against the lands and other property in such districts, and to provide for the collection of costs and expenses of installing and maintaining of levees and drainage systems now, heretofore or hereafter created not to exceed the increased value of such lands by reason of special benefits derived from such improvements, and to provide for the selling of bonds thereof, original or refunding, not to exceed the increased value of the property by reason of special benefits derived from such improvements.

Also:

H. 1129. To amend Section 6 of an Act entitled an Act to enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said county, and to provide for the holding of regular terms of said Court, approved September 20, 1923, to increase the salary of the Deputy Clerk and Register of said Court to Nine Hundred Dollars per annum, and to increase the salary of the Deputy Sheriff of said Court at Alexander City to Fifteen Hundred Dollars per annum.

Also:

H. 766. To ratify, confirm and validate the corporate existence and corporate powers of all drainage districts heretofore

organized as bodies corporate under the statutes of Alabama providing for the creation of drainage districts and organizing them into corporations, but which statutes have been declared invalid.

Also:

H. 751. To provide for the election of a County Superintendent of Education for Cleburne County, Alabama, by the qualified voters of Cleburne County, Alabama, at the general election in 1928 and every four years thereafter, to prescribe his qualifications, fix his term of office, prescribe his duties, and to fix his salary and provide the manner of payment of same.

Also:

H. 1013. To create the office of County Solicitor of Lawrence County, Alabama, to provide for the election of such officer by the qualified voters of said County to prescribe his powers, duties and qualifications, provide for his compensation, fix the term of his office, provide for his election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

Also:

H. 1028. To prohibit whipping, flogging, beating or any assault by person or persons masked or having their faces concealed and to provide the penalty therefor.

Also:

H. 797. For the relief of B. L. Marshall and to appropriate for the said B. L. Marshall the sum of fifteen hundred dollars, who was permanently disabled while on active duty with the highway department of the State of Alabama.

Also:

H. 956. To repeal an Act entitled "An Act to establish the Inferior Court of York Beat, Precinct No. 6 in Sumter County, Alabama, in lieu of all justices of the peace therein including the notary public ex-officio justice of the peace therein to be called the Inferior Court of York and to provide that all of the State's laws which are general shall apply to York Precinct No. 6 of Sumter County, Alabama, as to justices of the peace and notary public ex-officio justice of the peace and to provide for the transfer of all cases now on the docket of the said Inferior Court to the Justices of the Peace Court to be established.

Also:

H. 1073. To fix the compensation of the members of the court of county commissioners, board of revenue or such other governing body of Elmore County, Alabama.

Also:

H. 1142. To provide for the establishment and creation of a Waterworks Commission for the City of Phoenix City: To prescribe their number and provide for their election or appointment, and prescribe their terms of office: To prescribe their

qualifications: To prescribe their oath of office: To fix said Commission's duties and powers: To provide for the appointment of a Clerk and Treasurer for said Commission, and prescribe his duties: To prescribe and fix the meetings of said Commission: To prescribe the name of said Commission: To fix the bond of the clerk and treasurer of said Commission: To provide for and prescribe the duties and powers of said Commission: To provide for the employees of said Commission: To prescribe the manner of execution of contracts by said Commission: To provide a seal for said Commission: To provide that said Commission may make temporary loans: To provide for an attorney for said Commission: To provide for the establishment of an office by said Commission: To provide for the auditing of the books and accounts of said Commission and the making of reports of the financial condition of said Commission to the governing authorities of said City of Phoenix City: and to repeal all laws in conflict herewith.

Also:

H. 575. For the relief of S. M. Reeves, former Sheriff of Pike County, Alabama.

Also:

H. 765. To provide for refunding of money paid to drainage districts for bonds or securities issued by them under the provisions of an invalid act or law and to provide for the raising of funds therefor.

Also:

H. 1035. A bill to be entitled an act to provide for and submit to the qualified electors of the State of Alabama at an election to be held at the next general election, after the final adjournment of the present session of the Legislature, an amendment to the Constitution of Alabama, as follows:

"The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons; to provide for notice of said election; to prescribe the form of ballot; for the canvassing of the returns and to prescribe the method whereby the result of said election shall be known and to further prescribe for the expense of said election."

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an

election to be held at the next general election after the final adjournment of the present session of the Legislature, at which this amendment is proposed, to-wit: The Board of Revenue of Jefferson County or other governing body of said County, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a charity hospital or hospitals for the care and treatment of indigent persons.

Section 2. That it shall be the duty of the Governor of the State of Alabama, to give notice, by proclamation, of the fact that such election will be held on the day hereby appointed for action by the electorate upon the amendment hereby proposed by this act to be submitted to the qualified electors of the State for their consideration; and such proclamation shall also set out the proposed amendment. The said proclamation shall be published in one newspaper in each county in the State for at least eight successive weeks next preceding the day hereby appointed for the said election.

Section 3. That at said election on the amendment proposed by this act to be submitted to the qualified electors of the State of Alabama, for their consideration, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election, there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of the State of Alabama?" "The Board of Revenue of Jefferson County or other governing body of said county, in addition to the taxes it is now authorized and empowered to levy and collect, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of charity hospital or hospitals for the care and treatment of indigent persons.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers who hold such election shall be the same and shall be appointed in the same manner and by the same officials as provided by the general election laws of the State of Alabama for the appointment of officers and the holding of general elections in this State, and the election shall be held

under and in all things governed by and had in accordance with the constitutional provisions touching amendments to the Constitution of Alabama, and the general election laws of the State of Alabama.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall become a part of the Constitution of Alabama, and shall be in all its intents and purposes valid as such part of the Constitution.

Section 6. The result of such election shall be made known by proclamation of the Governor.

Section 7. The expenses of the election herein provided for and the costs of the publication of the notices, shall be paid out of the State Treasury in the same manner that the expense of general elections are paid.

Also:

H. 963. To propose an amendment to the constitution of Alabama authorizing the county of Jefferson, in addition to the taxes which it is now authorized and empowered to levy and collect, to levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation, to be applied exclusively to the purchase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following Amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed Amendment, and the day hereby appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this Amendment is proposed. The proposed Amendment is to add a new section as follows:

Article XI.

Section 215-A. In addition to the taxes which the County of Jefferson is now authorized and empowered to levy and collect, said County, through its board of Revenue or other governing body, shall levy and collect annually a tax of not more than one-tenth of one per centum upon the value of the property therein as fixed for State taxation to be applied exclusively to the pur-

chase, construction, equipment, repair, operation and maintenance of a hospital or hospitals for the care and treatment of persons afflicted with tuberculosis, and for the prevention of tuberculosis. This section shall be self-operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the Amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in each county of the State once a week for eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the treasury of the State in the same manner as the expenses of other elections are paid.

Also:

H. 627. To fix the compensation of tax assessors, in counties of more than one hundred thousand population and less than one hundred and fifty thousand population, according to the last Federal census or any subsequent Federal census, for assessing special county and district taxes now or hereafter levied for public school purposes.

Also:

H. 1158. To fix the salary of the Deputy Solicitor for Lowndes County, Alabama.

Also:

H. 628. To fix the compensation of tax collectors, in counties of more than one hundred thousand population and less than one hundred and fifty thousand population according to the last Federal census or any subsequent Federal census, for collecting special county and district taxes now or hereafter levied for public school purposes.

Also:

H. 1144. Conferring upon the County Court of Walker County, Alabama, and the Judge thereof, respectively, all the jurisdiction, powers and duties now conferred upon the Probate Court of Walker County, Alabama, or the Judge thereof, respectively, by the several provisions of Chapter 100 of the 1923 Code of Alabama, or by any other law of the State relating to juvenile delinquents, probations officers, wards of the State or dependent children.

Also:

H. 1143. To prescribe the qualifications and term of the Judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority.

Also:

H. 950. Providing that in all cities in the State having a population of not less than sixty-five thousand and not more than one

hundred and fifty thousand, according to the last or any subsequent Federal Census, the governing bodies of such municipalities shall assess and collect the sum of fifty cents additional on all license fees exacted by said municipality amounting to less than seven dollars and fifty cents per annum, and the sum of one dollar additional on all license fees exacted by said municipality, amounting to seven dollars and fifty cents or more per annum, and shall pay the proceeds of such additional license into the "Municipal Employees Pension and Relief Fund" of such municipality.

Also:

H. 1162. To provide for a special election to be held in Jackson County on the second Tuesday in January, 1928, to determine whether the County Superintendent of Education shall be elected by ballot or continue to be appointed by the county board of education; to fix his term of office and salary; and to prescribe his qualifications.

Also:

H. 1146. To make it unlawful for any person, firm or corporation to fish on Sunday in any of the waters of Coosa, County, Alabama, and to provide a penalty for violating the provisions of this Act.

Also:

H. 473. To authorize and regulate the organization of fraternal benefit societies into Stock Life Insurance Companies or Mutual Life Insurance Companies.

Also:

H. 418. To provide for the election of a county superintendent of education for Bibb County, Alabama, to prescribe his qualifications and to fix his salary and term of office.

Also:

H. 1026. To further provide for the taxation of persons, firms and corporations doing a telegraph or telephone business or that of operating express companies in the State of Alabama.

Also:

H. 775. To prohibit the abandonment of a planted or growing crop or crops, to prescribe notice of intention to abandon such crop or crops, to prescribe the method of giving bond in case of abandonment, and to fix punishment for the unlawful abandonment of such crop or crops.

Also:

H. 717. To designate the Goldenrod as the State Flower of Alabama.

Also:

H. 718. To designate the bird commonly called the Yellow-hammer as the State Bird.

Also:

H. 459. To amend Section 1464 of the Code of Alabama.

Also:

H. 774. To designate a certain road of Alabama as a State trunk road.

Also:

H. 385. To provide for the compilation, printing and binding, distribution and sale of a full, complete and accurate index to the four volumes of the Code of Alabama, of 1923, and the General and Local Acts of the Legislature of 1927 and to appropriate sufficient funds to pay the expenses incurred therein.

Also:

H. 682. To permit cities to adopt a city manager form of municipal government, to prescribe the manner by which the same may be adopted, provide for the elective officers, their terms of office and their powers and duties.

Also:

H. 405. To further define the business of mutual aid, benefit and industrial insurance companies or associations.

Also:

H. 862. To authorize and create an additional judge of the Seventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, and to provide for the salary of said judge.

Also:

H. 770. To authorize the payment of taxes which may be in litigation, and the refunding of such taxes as may be ascertained to be erroneously or illegally paid.

Also:

H. 595. To amend Section 6693 of the Code of Alabama of 1923.

Also:

H. 488. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.

Also:

H. 511. To amend Section 5619 of the Code of Alabama, 1923.

Also:

H. 530. To repeal Section 7206 of the Code of Alabama, 1923.

Also:

H. 513. To amend Section 8025 of the Code of Alabama, 1923.

Also:

H. 1131. To authorize and provide for the payment of the sum of Twenty-five Hundred (\$2,500.00) for the relief of J. F

Clements of Montgomery County, who was injured on the 16th day of October, 1910 while in line of duty with the National Guard of Alabama.

Also:

H. 883. For the relief of W. P. Hampton, and to reimburse him for expenses incurred in doctor bills, nurse hire, hospital bills, and medicine, and other expenses paid out by him while in the hospital and before recovering, after being wounded as law enforcement officer in the discharge of his duty for the State of Alabama.

Also:

H. 1125. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing and improving public school and other educational buildings in the State of Alabama as authorized by the Constitutional Amendment known as Article Twenty-one (21) of the Constitution of Alabama.

Also:

H. 1008. To amend Sections 3023, 3024, and 3025, of the Code of Alabama.

Also:

H. 759. To authorize the Board of Education of any county in this State, in order to acquire, construct, or repair any school building in any school district of their respective counties, or for paying for a public school building or building already built in any such district or to raise money for any such purpose, or to pay any person, firm or corporation for labor done or material furnished or money furnished for the purpose of building any public school building in such district, the title to which is invested in the State of Alabama, to issue and sell 6% interest bearing school warrants payable out of the three mill district school taxes now levied or which may be hereafter levied and collected in said school district in such amount as may be necessary for such purpose or purposes.

Also:

H. 1027. For the relief of Mrs. Eunice Harris, the widow of Thomas Jefferson Harris, Deceased.

Also:

H. 37. To prescribe the qualifications, duties and compensation of coroners in counties of this State of two hundred thousand inhabitants or more according to the last Federal census or any subsequent Federal census who may be hereafter elected and to provide for a deputy or an assistant coroner and to define and prescribe the powers and duties of such deputy or assistant, and to provide for the employment of a competent physician at any inquest held by such coroner, or such deputy or such assistant, and to define and prescribe his duties and to fix his compensa-

tion and to provide for the employment of a stenographer by such coroners.

Also:

H. 1076. To authorize and require the Board of Revenue, or other governing body, of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw it's warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid.

Also:

H. 1119. To fix the salary of the Probate Judge of Jefferson County, Alabama, and to provide for paying same.

Also:

H. 64. To make an appropriation to the State Training School for Girls for maintenance and buildings and for the purpose of paying the amount due on property purchased by the State for use of the State Training School for Girls.

Also:

H. 1168. To fix the compensation or salary to be paid to members of the Board of Revenue in all Counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census; and to prescribe the method of payment of said compensation or salaries.

Also:

H. 852. Providing that in all Counties in the State having a population of not less than eighty five thousand and not more than two hundred and fifty thousand according to the last or any subsequent Federal census, the Clerks of all Courts in such counties shall tax fifty cents as costs in all criminal cases brought in any Courts of any of said Counties arising within the police jurisdiction of the largest city in such county and pay the same when collected into the Municipal Employees Pension and Relief Fund" of the largest City in said County.

Also:

H. 836. To fix the compensation of the members of the Court of County Commissioners for Bullock County, Alabama, and to regulate the payment thereof.

Also:

H. 88. To appropriate Two Hundred and Fifty-five Thousand (\$255,000.00) Dollars to the Alabama Home for the construction and equipment of needed buildings, sewers, septic tanks and the acquisition of a colony for boys.

Also:

H. 989. To provide for the construction of certain public roads and bridges in Greene County; to define the powers and duties of the Court of County Commissioners relative to such public roads and bridges; to authorize the use of certain monies for such construction, and the borrowing of money for such purpose and the issuance of interest bearing warrants and the pledging of certain funds for the payment of such warrants.

Also:

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the board of Trustees of the Alabama Polytechnic Institute to accept such donations.

Also:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6996, 7003, 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215, of the Code of 1923. To repeal Sections 6975, 6977 and 7219 of the Code of 1923. To authorize the Secretary of State as

Corporation Commissioner ex-officio to employ clerical assistants to enable him to perform the duties required of him under the provisions of this Act; providing that one of such assistants shall be by the Secretary of State as Corporation Commissioner ex-officio designated as Corporation Commissioner; fixing his term of office; prescribing his duties and fixing the salaries or compensation of such assistants and making an appropriation therefor.

Also:

H. 1039. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said Courts, for the Judge and officers of the Courts; their term of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a Commission to aid in carrying out the work of the Courts and prescribing its duties, and providing for appeals from any order or judgment of said Courts; making it an offense for any person knowingly and willfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said Courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other Courts in the Civil Service of the State or municipality on account of any judgment or order of said Court or any confession, statement,

declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Also:

H. 1166. To provide for the consolidation of the administration and control of the public school systems in any county of not less than seventy-five thousand nor more than one hundred thousand population according to the last or any succeeding Federal Census; to establish a Board of Education, in lieu of all other city and county Boards of Education in such counties, and provide for the manner of its selection and to define its authority.

Also:

H. 180. A bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing and regulating the levying of additional taxes by Jackson School District Number 72, Clarke County, Alabama, and all other school districts of Clarke County which have been or may hereafter be consolidated with said Jackson School District Number 72.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) The Jackson School District Number 72, of Clarke County, Alabama, and all other school districts of Clarke County which have been or which may hereafter be consolidated with said Jackson School District may levy and collect a tax not exceeding fifty cents on each one hundred dollars worth of taxable property in such school districts, for the purpose.

1. Of paying or refunding of outstanding bonds of the Town of Jackson, Clarke County, Alabama, which have been heretofore issued for the erection and equipment of the public school buildings in said town; and

2. After the payment of such bonds then for public school purposes within such districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected, and voted for by a majority of those voting upon such proposition at such election.

(b) After such tax shall have been voted for and is being levied and collected by said Jackson School District Number 72 and the districts which have been consolidated therewith, no other district may consolidate with said Jackson District until such district so consolidating with said Jackson District shall have also voted a tax of like amount and with like expiration date, as shall have been voted by the districts which are then levying and collecting the tax provided for by paragraph (a) hereof.

(c) The election for such tax shall be proposed, called, held and the vote canvassed and the results declared and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by section 2 of the third amendment to this Constitution.

(d) The tax hereby authorized shall be in addition to any and all other taxes now authorized by law, and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made by reason of the tax hereby authorized.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

Also:

H. 471. A Bill to be entitled an Act, to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of the State of Alabama increasing the amount of taxes which may be levied by the respective governing bodies of the following municipal corporations, viz: Attalla, Alexander City, Albertville, Arab, Boaz, Bridgeport, Gadsden, Eufaula, Louisville, Union Springs, Jasper, Altoona and Guntersville, and Decatur and Sylacauga and Clanton.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second

Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a) That the municipality of the city of Gadsden, through its governing body, in addition to the taxes which it is by any other provision of the Constitution or any amendment thereto otherwise authorized to levy and collect, may levy and collect from and after the adoption of this amendment, an additional tax of not exceeding one-half of one per centum per annum in such amounts and to be devoted to such purposes as may be designated by the governing body of said municipality and voted for by a majority of the qualified electors voting upon such proposition at an election called by the governing body of said municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half per centum in any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(b) That the municipalities of Bridgeport, Arab, Boaz, Clanton, Albertville and Guntersville, through their respective governing bodies, in addition to the taxes which each of such municipalities is, by any other provision of the Constitution or any amendment thereto, otherwise authorized to levy and collect, may levy and collect from and after the date of the adoption of this amendment an additional tax of not exceeding one per centum per annum, in such amounts and to be devoted to such purposes as may be designated by their respective governing bodies and voted for by a majority of the qualified electors of such municipality voting upon such proposition at an election called by the governing body of such municipality for such purpose; provided that the total taxes levied for all purposes shall not exceed one and one-half per centum in any one year on property situated therein, based on the valuation of such property as assessed for state taxation.

(c) That the municipalities of Attalla, Alexander City, Decatur, Sylacauga, Eufaula, Louisville, Union Springs, Jasper and Altoona, through their respective governing bodies, may levy and collect, from and after the date of this amendment, a tax of not exceeding one-half of one per centum per annum; and that for the purpose of paying interest and principal when due of bonds and indebtedness issued and outstanding at the time of the adoption of this amendment, or hereafter issued or incurred, an additional tax of one half of one per centum may be levied and collected by the respective governing bodies of each of said municipalities; and provided further that a majority of the qualified electors of any of said municipalities voting upon such proposition at an election called by such municipality for that purpose

may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which the same is levied or collected. Provided that the total taxes levied for all purposes shall not exceed one and one-half ($1\frac{1}{2}\%$) per centum during any one year on the property situated therein, based on the valuation of such property as assessed for state taxation.

(d) That the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, authority, or right of any municipal corporations to levy and collect the special school taxes, now or hereafter vested in or conferred upon it, under the Constitution or any amendment thereto.

(e) Each election held under the provisions of this amendment shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such elections shall contain the words: "For authorization of additional taxation at rate not to exceed.....per cent for the year (or years).....for the purpose or purposes of.....and "Against authorization of additional taxation at a rate not to exceed.....per cent for the year (or years).....for the purpose or purposes of.....". The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used shall be likewise printed in the respective spaces therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of either of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This amendment shall be self-operative without any additional legislation.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Also:

H. 368. To be called "The Conservation Code of Alabama," to provide a general and complete system or body of laws, civil and criminal, for, or in any way having to do with or relating to the protection, conservation, preservation, and propagation and development, of all the wild life and seafood resources of the State of Alabama and within the territorial jurisdiction of said State, and the introduction of new species therein; to abolish the Department of Game and Fisheries of Alabama and provide for and establish in lieu thereof, the Department of Conservation of Game, Fish and Seafood of Alabama; to provide for a Commissioner of Conservation of Game, Fish and Seafood, and provide that the present Commissioner of Game and Fisheries shall be and become the first Commissioner of Conservation of Game, Fish and Seafood; to provide the purposes, powers, duties and authority of the Department of Conservation of Game, Fish and Seafood, and the Commissioner of Conservation of Game, Fish and Seafood; to provide for all officers, agents and employees in, under or connected with the Department of Conservation of Game, Fish and Seafood, their powers, duties, compensation and expenses, and further to provide for the bonding of same; to provide for all licenses, taxes, and permits, in connection with the conservation, preservation, protection and propagation of wild life and seafood resources of the state or within its territorial jurisdiction, and to provide other means of raising revenue for such purposes; to provide for the Game and Fish Fund and the Seafood Fund, and the collection, accumulation and disposition of same; to provide for State game preserves, refuges, sanctuaries, hatcheries, and cultural stations, and regulations relating to same; to provide for the closing of seasons on all birds, animals, and species of seafood and size limits and bag limits on same; to provide for penalties for violations of the provisions of the code, the machinery for handling or prosecuting cases arising under provisions of this act, trials of such cases, appeals from same, the denial of jury trials in misdemeanor cases except on appeal; to prohibit the taking, catching, or attempting to take or catch any of protected birds, animals or species of seafood, by illegal devices, and to provide what are legal and what illegal devices; to restrict or prohibit sale of game birds, or animals, or species of seafood; to provide for the condemnation and confiscation of all equipment or devices illegally used; to regulate commercial hunting, fishing, trapping, or taking, selling, shipping, transporting, or dealing in, all protected game, birds, fish, and species of seafood, and provide for

licenses for same; to make dynamiting of streams or waters a felony and provide penalty for same; to provide for the Seafood Commission, its purposes, powers and duties; to provide for the members of the Seafood Commission, and to fix their compensation, and provide for their powers and duties; to provide ex-officio duties for the Commissioner of Conservation of Game, Fish and Seafoods, sheriffs, solicitors, deputy sheriffs, marshals, constables, etc., relative to the provisions of this Act and the enforcement of same; to provide special rules of pleading and practice for trials of cases arising under this Act; to provide for the repeal of all laws or parts of laws in conflict with the provisions of this Act.

Also:

H. 818. To propose an amendment to the Constitution of Alabama to permit certain school districts in Dale County to levy and collect for schools purposes a tax of ten mills in addition to all taxes now authorized.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to wit: Midland City School District No. 15 in Dale County, Ariton School District No. 50 in Dale County, shall each have the right and power by a majority vote of the qualified electors of such districts voting at an election held for that purpose to levy and collect for public school purposes including the payment of indebtedness a tax not to exceed ten mills any one year in addition to all other taxes now authorized by law. The election in such districts to determine whether or not such tax shall be levied shall be called, held and conducted as now provided by law for calling and conducting an election to determine whether or not the three mill district school tax shall be levied and collected, and the laws governing the handling and the expenditure of the proceeds of the ten mill tax herein provided for shall be in all respects in accordance with the law governing the handling and the expenditure of the three mill district school tax.

Section 2. This Amendment shall be submitted to the qualified voters of the State at the General Election to be held in 1928.

And finds same correctly enrolled.

R. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-

thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Tunstall:

H. J. R. 323. Be it resolved by the House, the Senate concurring, that the Governor be and he is hereby respectfully requested to return to the House for further consideration by the Senate and House, S. B. 238. To amend Section 7327 of the Code of Alabama, 1923.

And on motion of Mr. Tunstall the rules were suspended and the resolution was adopted.

By Mr. Tunstall:

H. J. R. 324. Be it resolved by the House, the Senate concurring, That the Speaker of the House and the Presiding Officer of the Senate, be requested to erase their signatures from Senate Bill No. 238. To amend Section 7327 of the Code of Alabama, 1923, in order that said bill may be further considered by the House.

And the rules were suspended and the resolution was adopted.

By Mr. Tunstall:

H. J. R. 325. Be it resolved by the House of Representatives, the Senate concurring, that the Governor of Alabama is respectfully requested to return to the House for further consideration and amendment Senate Bill No. 70.

And the Rules were suspended and the Resolution adopted.

By Mr. Rogers of Mobile:

H. J. R. 326. Whereas, a number of the employees in the various departments of the government of the State of Alabama did on yesterday tender a barbecue to the members of the Legislature; and

Whereas, the veteran legislators, Boswell de Graffenreid Waddell, able Constitutional lawyer, and Sibley Holmes, authority on fish, fowl and medicine, did display their versatility in the culinary art by preparing the barbecue for their brother legislators; and

Whereas, the members of the Legislature had a most delightful outing and dinner;

Now therefore be it resolved by the House, the Senate concurring, that we extend to the Capitol employees who tendered us this barbecue and to Boswell de Graffenreid Waddell and Sibley Holmes who cooked it our expression of appreciation of their courtesy.

And the rules were suspended and the Resolution adopted.
By Rules Committee:

H. R. 327. Making certain Senate Bills Special Orders for today.

And the Resolution was adopted.

By Rules Committee:

H. R. 328. Making S. B. 204, 215 and 219 Special paramount orders for 12 o'clock noon today.

Mr. Goodwyn moved to table the resolution, H. R. 328, and the motion to table was lost.

And the resolution, H. R. 328 was adopted.

By Mr. Tunstall:

H. J. R. 329. Be it resolved by the House, the Senate concurring, that the Speaker of the House and the Presiding Officer of the Senate be requested to erase their signatures from the Bill, S. B. 70 To amend Sections 10327, 10328 and 10329 of the Code of Alabama, 1923 in order that said Bill may be further considered by the House.

And the Rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 386. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said town as hereby extended, altered and rearranged.

S. 545. To authorize the condemnation of a right-of-way over lands of other persons to cemeteries or grave-yards, which have been used by the public as a place for burying the dead for twenty years or more when no part of said cemetery or grave-yard is adjacent or contiguous to any public road or highway.

S. 575. To authorize Dallas County or the City of Selma to remit taxes which may be assessed by such County or City, for County or Municipal purposes, against any manufacturing enterprise now or hereafter located in such County or Municipality, for a period of not exceeding ten years.

S. 321. To authorize the Governor to re-convey to the National Guard Units of Jefferson County for armory purposes lots 7 and 8, Block 21, South Smithfield, which said lots were conveyed by battery D Armory Company to the State of Alabama under deed of Date September 29, 1925.

S. 442. To authorize the City School Board or City Board of Education or by whatever name called, in all cities of this State having a population of more than one hundred thousand according to the last or any succeeding Federal census, to make rules and regulations for the retirement of teachers on part pay; to fix the maximum amount of such pension, and to prescribe the minimum length of service as a teacher in order to be eligible for such pension, and to provide for the payment of such pension out of the public school funds.

S. 112. To amend Sections 3289, 3290, 3291, 3292, 3293, and 3294 of the Code of Alabama, relating to the crime of arson and attempt to commit arson.

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Circuit Judge in the tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to-wit, from April 14th to May 25th, 1924.

S. 407. To amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled an act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

S. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax-year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama, other than for schools owned or controlled by any religious sect or denomination.

S. 421. To fix the compensation or salary of sheriffs of the State of Alabama in counties having more than two hundred

thousand population, according to the last or any succeeding federal census, and to provide for the method, basis and payment of such compensation.

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

S. 397. To appropriate the sum of \$700.00 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

S. 415. To amend Sections 9879 and 9880 of the Code of Alabama of 1923.

S. 384. To create and establish the court of common pleas of Calhoun County; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court; to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

S. 513. To amend Section 3005 Code of Alabama, 1923.

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

S. 128. To amend Section 1185 of the Code of 1923.

S. 35. To amend an Act entitled "An Act to make a donation of the State Capitol at Tuscaloosa," approved on January 28, 1852, and found on page fifty-five (55) of the Acts of Alabama, 1851-2.

S. 524. Creating and establishing juvenile courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the board of revenue and road commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of probation officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order or judgment of said courts; making it an offense for any person knowingly and willfully to encourage, aid,

abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor; providing for the transfer of certain cases to said juvenile courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution, for the transportation of such children and the payment of cost by said counties; providing for the commitment of juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the board of revenue and road commissioners, or by whatever name they shall be known of said counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said courts, and for the protection of said children against disqualification or prejudice in other courts in the civil service of the State or municipality on account of any judgment or order of said Court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this Act.

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

S. 193. To provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-

thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MOTION TO RECONSIDER

Mr. Hampton moved to reconsider the vote by which the Bill, S. 427 was lost and the motion to reconsider was lost.

Yeas, 41; Nays, 46.

Yeas:

Messrs:

Mr. Speaker	Grove	Miller (Sumter)	Simpson
Allen	Hampton	Molette	Smith
Beebe	Hawkins	Monk	Starnes
Brunson	Jeter	Norman	Stewart (Calhoun)
Burns	Jones (Bullock)	Patterson	Vickers
Darden	Jordan (Washington)	Pitts	Waddell
Denson	Kirkpatrick	Reeder	Ward (Geneva)
Edmundson	Lee	Rogers (Elmore)	Ward (Tuscaloosa)
Frey	Luck	Rogers (Mobile)	Weldon
Goode	Martin	Shivers	Winn
Goodwyn			

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Nays:

Messrs.:

Adcock	Desear	Jordan (Etowah)	Rivers
Anderson	Edwards	McAdory	Sanders (Conecuh)
Baldwin	Fite	Matthews	Sanders (Pike)
Bartlett	Green	Mullen	Sanderson
Bryant	Gullatt	Nipper	Stephens
Burleson	Guy	Owens	Stewart (Bibb)
Cannon	Hightower	Parish	Thompson
Carter	Hollis	Pegues	Tompkins
Christian	Howard	Powell	Tunstall
Cockrell	Howell	Quillin	Ware
Cook	Hubbard	Ringer	Webb
Deloney	Jones (Cleburne)		

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REPORT OF CONFERENCE COMMITTEE

Mr. Beebe from the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 1124 made the following report:

To the Senate,

and

House of Representatives,

Gentlemen:

The undersigned Committee on conference on the disagreement between the two Houses as to House Bill No. 1124, do hereby unanimously report and recommend as follows:

First. That the House concur in all the Senate amendments.

Second. That Section Ten (10) of the Bill be amended by adding thereto the following to-wit:

"Provided that any funds in addition to those specifically apportioned by this Act and by the Constitutional amendment validating this Act, accruing from the sale of said State Bond Issue are hereby covered into the State Treasury to be used as an equalization building fund for the Institutions of higher learning, including Normal Schools and to be apportioned by the State Board of Education to the said several Institutions in proportion to their respective needs."

O. H. Mitchell,
James B. Ellis,
L. H. Ellis,
Committee on Part of the Senate.
W. C. Beebe,
R. S. Goodwyn,
C. M. A. Rogers,
Committee on Part of the House.

And the report of the Committee of Conference was concurred in and adopted.

Yeas, 80; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jordan (Etowah)	Rogers (Mobile)
Adcock	Fite	Jordan (Washington)	Sanders (Conecuh)
Allen	Frey	Kirkpatrick	Sanders (Pike)
Anderson	Goode	Lee	Sandersen
Baldwin	Goodwyn	Luck	Shivers
Bartlett	Green	McAdory	Simpson
Beebe	Grove	Matthews	Smith
Brunson	Gullatt	Miller (Sumter)	Starnes
Bryant	Guy	Molette	Stephens
Burleson	Hampton	Monk	Stewart (Bibb)
Burns	Hightower	Mullen	Stewart (Calhoun)
Cannon	Hollis	Nipper	Thompson
Christian	Howard	Owens	Tompkins
Cockrell	Howell	Parish	Waddell
Cook	Hubbard	Patterson	Ward (Geneva)
Darden	Hughes	Pegues	Ward (Tuscaloosa)
Deloney	Jeter	Pitts	Ware
Denson	Johnson	Reeder	Webb
Desear	Jones (Bullock)	Ringer	Weldon
Edmundson	Jones (Cleburne)	Rivers	Winn

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And said Bill:

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000.-000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and improvement of permanent

public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of the State Bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

As amended by the report of the Conference Committee was again read a third time at length and passed.

Yeas, 79; Nays, 1.

Yeas:

Messrs.:

Adcock	Goode	Lee	Rogers (Mobile)
Allen	Goodwyn	McAdory	Sanders (Conecuh)
Anderson	Green	Martin	Sanders (Pike)
Bartlett	Grove	Matthews	Shepherd
Beebe	Gullatt	Miller (Sumter)	Shivers
Brunson	Guy	Molette	Smith
Bryant	Hampton	Monk	Starnes
Burleson	Hightower	Mullen	Stephens
Burns	Hollis	Nipper	Stewart (Calhoun)
Cannon	Howard	Norman	Thompson
Christian	Howell	Owens	Tompkins
Cockrell	Hubbard	Parish	Tunstall
Cook	Hughes	Patterson	Vickers
Darden	Jeter	Pegues	Waddell
Deloney	Johnson	Pitts	Ward (Tuscaloosa)
Desear	Jones (Bullock)	Quillin	Ware
Edmundson	Jones (Cleburne)	Reeder	Webb
Edwards	Jordan (Etowah)	Ringer	Weldon
Fite	Jordan (Washington)	Rivers	Winn
Frey	Kirkpatrick	Rogers (Elmore)	

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Nay:—Mr. Speaker—1.

REPORT OF CONFERENCE COMMITTEE

Mr. Powell from the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 724 made the following report:

To the Senate and House of Representatives of Alabama:

We your conference committee on House Bill 724 beg leave to report as follows:

That the Senate recede from its amendment.

Respectfully submitted,

O. E. Young,

W. H. Mitchell,

Travis Williams,

Committee on part of Senate.

J. Carl Shepherd,

J. B. Powell,

D. G. W. Hollis,

Committee on part of the House.

And the report of the Committee of Conference was concurred in and adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Fite	McAdory	Shivers
Adcock	Frey	Martin	Simpson
Allen	Golson	Matthews	Smith
Bartlett	Goode	Merrill	Starnes
Beebe	Graves	Mullen	Stephens
Brunson	Green	Nipper	Stewart (Bibb)
Bryant	Grove	Norman	Stewart (Calhoun)
Burleson	Gullatt	Owens	Tompkins
Burns	Guy	Parish	Tunstall
Byars	Hollis	Pegues	Vickers
Cannon	Howard	Pitts	Waddell
Carter	Hughes	Poole	Wallace
Cook	Jeter	Powell	Ware
Darden	Lee	Rogers (Mobile)	Webb
Deloney	Lovelace	St. John	Weldon
Denson	Luck	Shepherd	Winn
Desear			

—65

And said Bill:

H. 724. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

As amended by the report of the Conference Committee was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burns	Desear	Green
Adcock	Byars	Fite	Grove
Allen	Cook	Frey	Gullatt
Beebe	Darden	Golson	Guy
Brunson	Deloney	Goode	Hollis
Bryant	Denson	Graves	Howard

Jeter	Miller (Sumter)	Pegues	Smith
Johnson	Molette	Pitts	Stewart (Bibb)
Jones (Bullock)	Monk	Poole	Stewart (Calhoun)
Jones (Cleburne)	Morrow	Powell	Thompson
Jordan (Etowah)	Moxley	Rivers	Waddell
Jordan (Washington)	Mullen	Rogers (Elmore)	Wallace
Lawler	Nipper	Sanders (Conecuh)	Ward (Geneva)
Lee	Owens	Shepherd	Ward (Tuscaloosa)
Luck	Parish	Shivers	Ware
Merrill	Patterson	Simpson	Webb
Miller (Marengo)			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and as amended has passed the following House Bill:

H. 210. To authorize cities and towns having a population of not more than six thousand inhabitants according to the latest Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to fix and collect licenses for business, trade or profession done outside the corporate limits, but within the police jurisdiction thereof.

And returns same herewith to the House.

J. E. Speight, •
Secretary.

SENATE MESSAGE

On motion of Mr. Ward of Geneva the House concurred in and adopted the Senate amendment to the Bill H. 210. Said Senate amendment being as follows:

SENATE SUBSTITUTE FOR H. B. 210

H. 210. A Bill to be entitled an Act to authorize all cities and towns within the State of Alabama to fix and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof.

Be it enacted by the Legislature of Alabama:

Section 1. That any city or town within the state of Alabama may fix and collect licenses for any business, trade or profession done within the police jurisdiction of such city or town and without the corporate limits thereof; provided, however, that the amount of such licenses shall not be more than one-half the amount charged and collected as a license for like businesses, trade or profession done within the corporate limits of such city, fees and penalties excluded.

Provided that this act shall not have the effect to repeal or modify the limitations provided by Section 2157, 2158, 2159, 2160, 2161, 2162, of the Code of Alabama of 1923, relating to railroads, express companies, sleeping car companies, telegraph companies, telephone companies, and public utilities.

S. 587. To authorize governing bodies of all cities in this state having a population of not less than 35,000 inhabitants and not more than 150,000 inhabitants, according to the last or any subsequent Federal census, to exempt from municipal taxation, and to remit any taxes which may be assessed by such cities for municipal purposes against, manufacturing enterprises and manufacturing establishments of any kind, shipbuilding plants, fertilizer plants and factories and plants constructed or operated for the purpose of manufacturing any kind of manufactured products, now or hereafter located in such municipality; such exemption from municipal taxation and such remission of municipal taxes to be for periods of not longer than ten years at any one time.

Yeas, 60; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Fite	Luck	Rogers (Mobile)
Adcock	Frey	McAdory	Sanderson
Allen	Golson	Martin	Smith
Bartlett	Goode	Molette	Starnes
Beebe	Goodwyn	Monk	Stephens
Brunson	Graves	Mullen	Stewart (Calhoun)
Bryant	Green	Nipper	Thompson
Burleson	Hightower	Norman	Tunstall
Burns	Howell	Owens	Vickers
Carter	Hubbard	Parish	Waddell
Christian	Jeter	Pegues	Ward (Geneva)
Cook	Jones (Bullock)	Pitts	Ware
Darden	Jones (Cleburne)	Reeder	Webb
Edmundson	Jordan (Etowah)	Ringer	Weldon
Edwards	Kirkpatrick	Rivers	Winn

—60

Nays:—Messrs. Cannon and Hollis.—2.

BILL ON THIRD READING

S. 587. To authorize governing bodies of all cities in this state having a population of not less than 35,000 inhabitants and not more than 150,000 inhabitants according to the last or any subsequent Federal census, to exempt from municipal taxation, and to remit any taxes which may be assessed by such cities for municipal purposes against, manufacturing enterprises and manufacturing establishments of any kind, shipbuilding plants, fertilizer plants and factories and plants constructed or operated for the purpose of manufacturing any kind of manufactured products, now or hereafter located in such municipality; such exemption from municipal taxation and such remission of municipal taxes to be for periods of not longer than ten years at any one time.

Was read a third time at length and passed.
Yeas, 64; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Edwards	Jones (Cleburne)	Rivers
Adcock	Frey	Jordan (Etowah)	Rogers (Elmore)
Allen	Golson	Jordan (Washington)	Rogers (Mobile)
Anderson	Goode	Kirkpatrick	Sanders (Pike)
Bartlett	Goodwyn	Lee	Sanderson
Beebe	Graves	McAdory	Shepherd
Brunson	Green	Martin	Smith
Bryant	Grove	Matthews	Starnes
Burleson	Guy	Molette	Stephens
Burns	Hightower	Mullen	Stewart (Calhoun)
Carter	Hollis	Nipper	Thompson
Christian	Howard	Norman	Tunstall
Cockrell	Hughes	Owens	Vickers
Darden	Jeter	Parish	Waddell
Denson	Johnson	Pegues	Ward (Geneva)
Desear	Jones (Bullock)	Reeder	Ward (Tuscaloosa)

—64

Nays:—Messrs. Cannon and Tompkins—2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Resolution:

H. J. R. 321. Relative to indorsing the plan of Birmingham Post No. 1 of the American Legion to erect a memorial entrance to Legion Field in Birmingham in honor of Alabama's dead in the late war.

And sends same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

S. J. R. 106. Resolved by the Senate, the House Concurring, that the Secretary, Assistant Secretary, Second Assistant Secretary, Reading Clerk and the Chief Clerk of the Senate, together with one typist and ten Journal Clerks to be named by the Secretary of the Senate; the Clerk, Assistant Clerk, Reading Clerk and Chief Clerk of the House, together with one typist, whose per diem shall be six dollars per day, and ten Journal Clerks to be named by the Clerk of the House, be allowed six weeks within which to check, compare and deliver the Journals of the Senate and House to the Secretary of State.

Resolved Further, that all of the above named shall receive the same per diem and be paid in the same manner as they are now paid.

Resolved Further, that the Secretary of the Senate and Clerk of the House shall, jointly, appoint one Janitor for the period covered in this resolution, whose per diem and manner of payment of same shall be as servants of the Legislature are now paid.

Resolved Further, that the Secretary of the Senate and Clerk of the House be authorized and directed to employ one Clerk for not exceeding two weeks to look after forwarding the mail to members of the Legislature, and that she receive the same per diem as now allowed by law for Committee Clerks and to be paid in the same manner.

And send same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 106 was concurred in and adopted.

BILL ON THIRD READING

S. 514. To provide for the training of mentally retarded children of school age in towns of 6,000 or more population according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas, 57; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Fite	Jordan (Washington)	Quillin
Adcock	Frey	Kirkpatrick	Rivers
Allen	Golson	Lee	Rogers (Elmore)
Baldwin	Gullatt	Luck	Rogers (Mobile)
Beebe	Hawkins	McAdory	Sanders (Conecuh)
Brunson	Hightower	Matthews	Sanderson
Bryant	Hollis	Miller (Sumter)	Starnes
Burleson	Howard	Moxley	Stephens
Burns	Hubbard	Mullen	Stewart (Calhoun)
Cannon	Hughes	Nipper	Thompson
Cockrell	Jeter	Owens	Tompkins
Cook	Johnson	Parish	Wallace
Darden	Jones (Cleburne)	Patterson	Ward (Geneva)
Denson	Jordan (Etowah)	Pegues	Ward (Tuscaloosa)
Edwards			

—57

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House Amendment to the following Senate Bills:

S. 356. To establish an inferior court in precinct 42, in Jefferson County, Alabama, to be called the Inferior Court of North Birmingham, in lieu of all justices of the peace in said precinct and in lieu of all notaries public with powers of justices of the peace and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory or any part thereof, to define the jurisdiction and powers of said court, the clerk and other officers thereof, to provide for a place of holding said court, the terms and salaries of the officers of said court, the manner of their appointment and election and the payment of their salaries and that said court shall be a court of record. Said Court shall be a branch of the Third Division Municipal Court of Birmingham, Alabama.

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

S. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said County, and abolishing said Court of County Commissioners of said county; to divide said county of Pike into Board of Revenue Districts for the election of members of said Board of Revenue prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter granted by law to Courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, fixing their term of office, and providing for the election of their successors.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the Resolution:

H. J. R. 323. Relative to requesting the governor to return to the House for further consideration the bill:

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Te Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 33. To authorize the loan of money at six (6%) per cent per annum or less and to regulate such transactions; to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 19; nays, 0.

And said bill, H. 33, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas, 18; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILLS ON THIRD READING

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

Was read a third time at length and passed.

Yeas, 69; Nays, 1.

Yeas:

Messrs:

Adcock	Edmundson	Howell	Miller (Marengo)
Allen	Edwards	Hubbard	Molette
Anderson	Fite	Hughes	Monk
Bartlett	Golson	Jeter	Moxley
Beebe	Goode	Johnson	Mullen
Bryant	Goodwyn	Jones (Bullock)	Nipper
Burleson	Graves	Jones (Cleburne)	Owens
Burns	Green	Jordan (Etowah)	Parish
Carter	Grove	Jordan (Washington)	Patterson
Cockrell	Gullatt	Kirkpatrick	Pitts
Darden	Hawkins	Luck	Quillin
Deloney	Hightower	McAdory	Reeder
Denson	Hollis	Martin	Rivers
Desear	Howard	Matthews	Rogers (Elmore)

Rogers (Mobile)	Starnes	Vickers	Ware
Sanderson	Stewart (Calhoun)	Waddell	Webb
Shivers	Tompkins	Ward (Geneva)	Winn
Simpson			

—69

Nay:—Mr. Speaker—1.

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55. To define the jurisdiction thereof, to provide for organizing and empaneling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to rearrange the territorial boundary lines of the jurisdiction of said court so held at Bessemer, and defining the boundary lines thereof by metes and bounds instead of by precincts, and eliminating from said Act Section 9½.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary. Said Committee substitute being as follows:

S. 501. A Bill to Be entitled An Act to amend an act Entitled "An Act to better provide for holding the circuit court of the tenth judicial circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwin's precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49. Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said court at said place, and otherwise provide therefor", approved August 18, 1919, said place, and other provide therefor approved August 18, 1919, said amendment operating to repeal section 9½ of said act.

Be it Enacted by the Legislature of Alabama as follows:

Section 1. That Section 9½ of an act entitled "An Act to better provide for holding the circuit court of the tenth judicial

circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwin's precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor, and define the jurisdiction of said grand juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, be and the same is hereby repealed.

And the substitute was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	McAdory	Rivers
Adcock	Goode	Martin	Rogers (Mobile)
Allen	Green	Merrill	Shivers
Beebe	Grove	Miller (Marengo)	Simpson
Brunson	Gullatt	Miller (Sumter)	Smith
Bryant	Guy	Molette	Starnes
Burns	Hawkins	Monk	Tunstall
Byars	Hightower	Morrow	Vickers
Cannon	Hollis	Nipper	Waddell
Carter	Hughes	Norman	Wallace
Cook	Jeter	Owens	Ward (Geneva)
Darden	Johnson	Parish	Ward (Tuscaloosa)
Denson	Langdon	Pitts	Ware
Desear	Lawler	Poole	Webb
Edmundson	Lee	Reeder	Weldon
Edwards	Luck	Ringer	Winn
Fite			

—65

And said Bill:

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55. To define the jurisdiction thereof, to provide for organizing and empaneling Grand Juries therefor, and define the jurisdiction of said Grand Juries, to regulate the holding of said court at said place,

and otherwise provide therefor," approved August 18, 1919, said amendment operating to rearrange the territorial boundary lines of the jurisdiction of said court so held at Bessemer, and defining the boundary lines thereof by metes and bounds instead of by Precincts, and eliminating from said Act Section 9½.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	Parish	Starnes
Adcock	Green	Pitts	Stephens
Allen	Grove	Poole	Stewart (Bibb)
Beebe	Hawkins	Powell	Stewart (Calhoun)
Brunson	Hightower	Reeder	Thompson
Bryant	Hollis	Ringer	Tompkins
Burns	Jeter	Rivers	Tunstall
Byars	Johnson	Rogers (Mobile)	Vickers
Cannon	Jones (Bullock)	St. John	Waddell
Carter	Jones (Cleburne)	Sanders (Conecuh)	Wallace
Cook	Luck	Sanders (Pike)	Ward (Geneva)
Darden	McAdory	Sanderson	Ward (Tuscaloosa)
Denson	Martin	Shepherd	Ware
Desear	Monk	Shivers	Webb
Edmundson	Morrow	Simpson	Weldon
Fite	Owens	Smith	Winn
Frey			

—65

S. 500. To create the twenty-fourth judicial circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of a judge, solicitor, clerk and the appointment of a register in chancery, and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama, and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama, and to otherwise provide therefor.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary. Said Committee amendment being as follows:

That Senate Bill 500 be amended as follows:

Amend Section 1 so same shall be and read as follows:

That there is hereby created and established the twenty-fourth Judicial Circuit of the State of Alabama to be composed of the following precincts in Jefferson County, Alabama, viz: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aarons Precinct No. 4, Short Creek Precinct No. 5, Bethle-

hem Precinct No. 7, Meeks Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53 and Brighton Precinct No. 55, and Precinct No. 57, the same being the territory over which the Bessemer Division of the Circuit Court of Jefferson County, Alabama, now has jurisdiction, and that upon establishment of said twenty-fourth Judicial Circuit said named precincts are taken out of and detached from the Tenth Judicial Circuit of Alabama.

Amend Section 3 by adding thereto the following:

And after the lawful establishment of said twenty-fourth Judicial Circuit the offices respectively of Judge number five of the Tenth Judicial Circuit, and the Deputy Solicitor and the Deputy Clerk of the Bessemer Division of the Circuit Court of Jefferson County, shall be abolished as their present respective terms expire.

Amend Section 13 by striking out the words "and solicitor" where same appear together therein.

Amend Section 15 so that same shall read as follows:

Section 15. That all laws, local, general or special now applicable to the Bessemer Division of the Circuit Court of Jefferson County or the offices of Judge, Deputy Solicitor or Deputy Clerk thereof which are not in conflict herewith are hereby continued in full force and effect and made applicable to the said Circuit Court of the twenty-fourth Judicial Circuit and the offices of Judge, Solicitor and Clerk thereof in all respects as they now apply to said Bessemer Division of the Circuit Court of Jefferson County and said offices thereof.

And the amendment was adopted.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Golson	McAdory	Simpson
Adcock	Goode	Martin	Smith
Allen	Goodwyn	Molette	Starnes
Beebe	Guy	Monk	Stephens
Brunson	Hampton	Morrow	Thompson
Bryant	Harwood	Owens	Tompkins
Byars	Hawkins	Parish	Tunstall
Cannon	Howell	Patterson	Vickers
Carter	Hubbard	Pegues	Waddell
Cook	Hughes	Pitts	Wallace
Darden	Jeter	Poole	Ward (Geneva)
Deloney	Johnson	Rankin	Ward (Tuscaloosa)
Denson	Jordan (Etowah)	Reeder	Ware
Desear	Jordan, (Washington)	Ringer	Webb
Edmundson	Kirkpatrick	Rivers	Weldon
Fite	Luck	Shivers	Winn
Frey			

And said Bill:

S. 500. To create the twenty-fourth Judicial Circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of a Judge, Solicitor, Clerk, and the appointment of a register in chancery, and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer Division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama, and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama and to otherwise provide therefor.

As amended was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Lee	Reeder
Adcock	Graves	Luck	Ringer
Allen	Green	McAdory	Rivers
Bryant	Guy	Martin	Rogers (Mobile)
Burleson	Hampton	Merrill	St. John
Burns	Harwood	Miller (Marengo)	Simpson
Byars	Hawkins	Miller (Sumter)	Smith
Cook	Howell	Molette	Starnes
Darden	Hubbard	Monk	Vickers
Deloney	Jeter	Morrow	Waddell
Denson	Johnson	Owens	Wallace
Desear	Jones (Bullock)	Parish	Ward (Geneva)
Edmundson	Jones (Cleburne)	Patterson	Ware
Fite	Jordan (Etowah)	Pegues	Webb
Frey	Jordan (Washington)	Pitts	Weldon
Golson	Lawler	Poole	Winn
Goode			

—65

S. 453. To make an appropriation for buildings and equipment for the Kate Duncan Smith, D. A. R. School located at Grant, Alabama.

Was taken up. Mr. Nipper offered the following amendment to the Bill, S. 453.

Amend Senate Bill 453 by adding at the end of Section 4 thereof the following words:

Provided, however, that the appropriation herein provided for shall not become effective until in the opinion of the Governor the condition of the State Treasury shall warrant and said appropriation shall not be paid without the approval of the Governor."

And the amendment was adopted.

Yeas, 69; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Jordan (Etowah)	Quillin
Adcock	Graves	Jordan (Washington)	Reeder
Allen	Green	Kirkpatrick	Ringer
Anderson	Grove	Lovelace	Rivers
Bryant	Gullatt	Luck	Rogers (Elmore)
Burleson	Guy	McAdory	Rogers (Mobile)
Burns	Hampton	Matthews	Sanders (Conecuh)
Carter	Hawkins	Merrill	Sanders (Pike)
Cockrell	Hightower	Miller (Marengo)	Sanderson
Cook	Hollis	Miller (Sumter)	Shepherd
Darden	Howard	Monk	Shivers
Deloney	Howell	Mullen	Smith
Denson	Hubbard	Nipper	Stewart (Calhoun)
Desear	Hughes	Parish	Tompkins
Edwards	Jeter	Patterson	Waddell
Fite	Johnson	Pegues	Ware
Frey	Jones (Cleburne)	Pitts	Webb
Golson			

—69

And said Bill:

S. 453. To make an appropriation for buildings and equipment for the Kate Duncan Smith, D. A. R. School located at Grant, Alabama.

As amended was read a third time at length and passed.

Yeas, 88; Nays, 0.

Yeas:

Messrs.:

Adcock	Frey	Jordan (Washington)	Rogers (Mobile)
Allen	Golson	Kirkpatrick	Sanders (Conecuh)
Anderson	Goode	Lee	Sanders (Pike)
Baldwin	Goodwyn	Luck	Sanderson
Bartlett	Graves	McAdory	Shepherd
Beebe	Green	Matthews	Shivers
Brunson	Grove	Merrill	Simpson
Bryant	Gullatt	Miller (Marengo)	Smith
Burleson	Guy	Miller (Sumter)	Starnes
Burns	Hampton	Molette	Stephens
Cannon	Hawkins	Monk	Stewart (Bibb)
Carter	Hightower	Mullen	Stewart (Calhoun)
Christian	Hollis	Nipper	Thompson
Cockrell	Howard	Parish	Tompkins
Cook	Howell	Patterson	Vickers
Darden	Hubbard	Pegues	Waddell
Deloney	Hughes	Pitts	Wallace
Denson	Jeter	Quillin	Ward (Geneva)
Desear	Johnson	Reeder	Ware
Edmundson	Jones (Bullock)	Ringer	Webb
Edwards	Jones (Cleburne)	Rivers	Weldon
Fite	Jordan (Etowah)	Rogers (Elmore)	Winn

—88

S. 114. To provide for organization, operation and supervision of co-operative savings and credit associations to be termed "Credit Unions" and to define their powers.

Was read a third time at length and passed.

Yeas, 69; Nays, 1.

Yeas:

Messrs:

Mr. Speaker	Green	Jordan (Washington)	Rogers (Mobile)
Adcock	Grove	Kirkpatrick	Sanders (Pike)
Allen	Gullatt	McAdory	Sanderson
Anderson	Guy	Matthews	Shivers
Baldwin	Hampton	Miller (Marengo)	Simpson
Bartlett	Harwood	Miller (Sumter)	Smith
Beebe	Hawkins	Molette	Starnes
Brunson	Hightower	Monk	Stephens
Bryant	Hollis	Parish	Stewart (Calhoun)
Carter	Howard	Patterson	Tompkins
Cockrell	Hubbard	Pegues	Tunstall
Cook	Hughes	Pitts	Vickers
Darden	Jeter	Powell	Waddell
Deloney	Johnson	Rankin	Ward (Geneva)
Desear	Jones (Bullock)	Reeder	Ware
Edmundson	Jones (Clebune)	Ringer	Webb
Edwards	Jordan (Etowah)	Rivers	Weldon
Goodwyn			

—69

Nay:—Mr. Cannon—1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 103. Whereas, a large number of the members of the Legislature of Alabama, attended on this, the 1st day of September, 1927, a barbecue given at Graham Haven, for their enjoyment and pleasure.

And Whereas, This is a most fitting and appropriate courtesy extended to the membership of both Houses of the Legislature, signalizing as it does, a gracious expression of good-will and kindly exchange of sentiment now at the close of its labors for the session of 1927.

And Whereas, the members of the Legislature will always revert back to this occasion with unmingled feelings of pleasure,

And whereas, the success of this occasion was due to the energetic efforts of the associated employees of the Graves administration, under the leadership of Hon. Gaston Scott, Private Secretary to the Governor; and as well to Colonel Woolsey Finnell, Chief of the Highway Department, and Hon. C. E. Thomas, Head of the State Banking Department.

Therefore, Be it Resolved by the Senate, the House Concurring, that the unstinted thanks of both Houses of the Legislature is hereby extended to the above named gentlemen for the great enjoyment they have provided for the entire membership of the Legislative Bodies.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

The Senate Joint Resolution 103 was concurred in and adopted.

BILLS ON THIRD READING

S. 247. To amend Section 6739 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 67; Nays, 16.

Yeas:

Messrs:

Adcock	Grove	McAdory	Sanders (Conecuh)
Allen	Gullatt	Martin	Sanders (Pike)
Anderson	Harwood	Matthews	Sanderson
Baldwin	Hawkins	Merrill	Shivers
Beebe	Hightower	Miller (Marengo)	Simpson
Brunson	Howell	Miller (Sumter)	Smith
Bryant	Hubbard	Molette	Starnes
Carter	Hughes	Monk	Stewart (Calhoun)
Christian	Jeter	Nipper	Thompson
Cockrell	Johnson	Owens	Vickers
Cook	Jones (Bullock)	Parish	Waddell
Desear	Jones (Clebune)	Patterson	Wallace
Edmundson	Jordan (Etowah)	Pegues	Ward (Geneva)
Frey	Jordan (Washington)	Pitts	Ware
Goode	Kirkpatrick	Reeder	Webb
Goodwyn	Lee	Rogers (Elmore)	Winn
Green	Luck	Rogers (Mobile)	

—67

Nays:

Messrs:

Mr. Speaker	Darden	Guy	Mullen
Burleson	Edwards	Hampton	Quillin
Burns	Fite	Hollis	Rivers
Cannon	Golson	Howard	Tompkins

—16

S. 590. To admit to the Soldier's Home at Mountain Creek certain indigent female relatives of Confederate Veterans.

Was read a third time at length and passed.

Yeas, 98; Nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Goodwyn	McAdory	Rogers (Elmore)
Adcock	Graves	Martin	Rogers (Mobile)
Allen	Green	Matthews	Sanders (Conecuh)
Anderson	Grove	Merrill	Sanders (Pike)
Baldwin	Gullatt	Miller (Marengo)	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Moxley	Smith
Burleson	Hightower	Mullen	Starnes
Burns	Hollis	Nipper	Stephens
Cannon	Howard	Norman	Stewart (Bibb)
Carter	Howell	Owens	Stewart (Calhoun)
Christian	Hubbard	Parish	Thompson
Cockrell	Hughes	Patterson	Tunstall
Cook	Jeter	Pegues	Vickers
Darden	Johnson	Pitts	Waddell
Deloney	Jones (Bullock)	Poole	Wallace
Denson	Jones (Cleburne)	Powell	Ward (Geneva)
Edmundson	Jordan (Etowah)	Quillin	Ward (Tuscaloosa)
Edwards	Jordan (Washington)	Rankin	Ware
Fite	Kirkpatrick	Reeder	Webb
Frey	Lee	Ringer	Weldon
Golson	Lovelace	Rivers	Winn
Goode	Luck		

—98

RECONSIDERATION

Mr. Tunstall moved to reconsider the vote by which the Bill S. 260 was passed on the last previous Legislative Day and the motion to reconsider prevailed. Mr. Tunstall then moved to reconsider the vote by which the Bill S. 260 was ordered to a third reading and the motion prevailed.

And the Bill:

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

Was taken up.

Mr. Tunstall offered the following amendment to the Bill, S. 260.

To amend Senate Bill 260 by striikng out the figures, 1063 wherever they occur in the title of the bill or in the bill itself.

And the amendment was adopted.

Yeas, 65; Nays, 0.

*Yeas:**Messrs.:*

Mr. Speaker	Bartlett	Burleson	Cockrell
Adcock	Beebe	Burns	Darden
Allen	Brunson	Carter	Denson
Anderson	Bryant	Christian	Edmundson

Edwards	Hughes	Patterson	Smith
Fite	Jeter	Pegues	Starnes
Golson	Jordan (Etowah)	Pitts	Stephens
Goode	Jordan (Washington)	Powell	Stewart (Calhoun)
Goodwyn	Lee	Reeder	Tunstall
Graves	McAdory	Ringer	Vickers
Green	Merrill	Rogers (Mobile)	Waddell
Grove	Miller (Marengo)	Sanders (Pike)	Ward (Geneva)
Gullatt	Molette	Sanderson	Ward (Tuscaloosa)
Hawkins	Moxley	Shepherd	Ware
Hightower	Mullen	Shivers	Webb
Howard	Nipper	Simpson	Winn
Hubbard			

—65

And said bill:

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

As amended was read a third time at length and passed.

Yeas, 64; Nays, 1.

Yeas:

Mr. Speaker	Edwards	Lee	Sanderson
Adcock	Fite	McAdory	Shepherd
Allen	Golson	Merrill	Shivers
Anderson	Goode	Miller (Marengo)	Simpson
Bartlett	Goodwyn	Molette	Smith
Beebe	Graves	Moxley	Starnes
Brunson	Green	Mullen	Stephens
Bryant	Grove	Nipper	Stewart (Calhoun)
Burleson	Gullatt	Patterson	Tunstall
Burns	Hawkins	Pegues	Vickers
Carter	Hightower	Pitts	Waddell
Christian	Howard	Powell	Ward (Geneva)
Cockrell	Hubbard	Reeder	Ward (Tuscaloosa)
Darden	Hughes	Ringer	Ware
Denson	Jeter	Rogers (Mobile)	Webb
Edmundson	Jordan (Etowah)	Sanders (Pike)	Winn

—64

Nay:—Mr. Cannon—1.

BILLS ON THIRD READING

S. 326. To amend Section 8832 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 66; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Bryant	Cockrell	Edmundson
Adcock	Burns	Cook	Edwards
Bartlett	Cannon	Darden	Fite
Beebe	Carter	Denson	Frey
Brunson	Christian	Desear	Golson

Goode	Jordan (Etowah)	Sanders (Conecuh)	Thompson
Goodwyn	Jordan (Washington)	Sanders (Pike)	Tunstall
Green	Lee	Sanderson	Vickers
Grove	Lovelace	Shepherd	Waddell
Gullatt	Matthews	Shivers	Wallace
Hawkins	Merrill	Simpson	Ward (Geneva)
Hightower	Miller (Marengo)	Smith	Ward (Tuscaloosa)
Howard	Mullen	Starnes	Ware
Hubbard	Nipper	Stephens	Webb
Hughes	Parish	Stewart (Bibb)	Weldon
Jeter	Pegues	Stewart (Calhoun)	Winn
Jones (Bullock)	Rogers (Mobile)		

—66

Nay:—Mr. Burleson—1.

S. 110. To amend Sections 1754, 1757, 1760, 1894, 2341, and 2364 of the Code of Alabama.

Was taken up. The question was upon the adoption of the substitute reported by the Standing Committee on Municipal Organization. Said substitute being as follows:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 110

S. 110. A Bill to be entitled an act to amend Sections 1754, 1757, 1760, and 1894 of the Code of Alabama of 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 1754 of the Code of Alabama be amended to read as follows:

Section 1754. Elections, time of holding—The regular municipal elections in cities and towns shall be held on the third Monday in September, 1928, and biennially thereafter. Municipal officers elected at such elections shall assume the duties of their respective offices on the first Monday in October following such election, unless herein otherwise provided. The voting places shall be fixed by the council, one or more voting places for each ward, where such city or town has been divided into wards, and the election shall be conducted in the manner provided by law for general elections, except as otherwise provided in this chapter.

Provided, however, that cities of 2000 population and over, according to the next preceding decennial federal Census, shall elect their mayor, and councilmen, and other officers authorized by law to be elected, on the 3rd Monday in September, 1928, and quadrennially, thereafter; such officers shall take their offices on the 1st Monday in October following their election: provided further that this shall not affect cities under commission form of government.

Section 2. That Section 1757 of the Code of Alabama be amended so as to read as follows:

Section 1757. Officers enumerated; time of election—In cities having a population of six thousand or more, at each general municipal election, there shall be elected the following officers, who shall compose the city council for such cities, and who shall hold office for four years and until their successors are elected and qualified, and who may exercise the legislative functions of city government and any other powers and duties which are, or may be, vested by law in the city council or its members; A president of the city council; and in cities having seven wards or less, two aldermen from each ward, to be elected by the qualified voters of the several wards voting separately in every ward; except in cities of less than twenty thousand inhabitants, in which two aldermen from each ward shall be elected by the electors of the city at large; in cities having more than seven wards, one alderman from each ward, and a sufficient number of aldermen from the city at large to make the total number of aldermen fourteen, exclusive of the president of the council; and in cities having fifty thousand inhabitants or more, the city council may create not exceeding twenty wards. Vacancies in the office of aldermen shall be filled by the council at the next regular meeting or any subsequent regular meeting of the council, the person so elected to hold for the unexpired term. The president of the council shall have the right to vote on all questions, the same as any other member of the body.

Section 3. That Section 1760 of the Code of Alabama be amended so as to read as follows:

Section 1760. Mayor, when elected; no vote.—In all cities and towns at the general election to be held on the third Monday in September, 1928, and quadrennially thereafter, there shall be elected a mayor, who, in cities having a population of six thousand or more, shall not sit with the council nor have a vote in its proceedings, and he shall have the power and duties herein conferred. In cities having a population of less than six thousand, and in towns, the legislative functions shall be exercised by the mayor and five aldermen. The mayor shall vote with and preside over the deliberations of the council. The aldermen in such municipalities shall be elected by the city or town at large at the first general election, on the third Monday in September, 1928, and quadrennially thereafter, they shall be elected by the city or town at large, or from wards, as the said councils may determine not less than six months before an election.

Provided that in cities and towns of less than 2,000 inhabitants, the mayor and councilmen and other officers of cities under the aldermanic form of government, shall be elected on the 3rd Monday in September, 1928, and biennially thereafter.

Section 4. That Section 1894 of the Code of Alabama be amended so as to read as follows:

Section 1894. Mayor; powers, duties, salary, etc.—The mayor shall have powers and perform duties as follows: he shall keep an office in the city or town, and shall receive such salary as the council may prescribe not exceeding the following amounts; in cities having more than fifteen thousand population, not exceeding five thousand dollars; and not less than eighteen hundred dollars a year; in cities having six thousand and up to fifteen thousand population, not exceeding three thousand dollars, nor less than six hundred dollars a year; in cities having less than six thousand population, not exceeding eighteen hundred dollars, nor less than one hundred dollars a year; in towns, not exceeding six hundred dollars, nor less than fifty dollars a year.

And the substitute reported by the Committee was adopted.
Yeas, 58; Nays, 9.

Yeas:

Messrs:

Mr. Speaker	Goode	Lee	Sanders (Concuh)
Adcock	Goodwyn	Matthews	Sanders (Pike)
Anderson	Green	Merrill	Simpson
Baldwin	Grove	Miller (Marengo)	Starnes
Beebe	Guy	Miller (Sumter)	Stephens
Bryant	Harwood	Molette	Stewart (Calhoun)
Burleson	Hawkins	Moxley	Tompkins
Burns	Howard	Parish	Tunstall
Christian	Howell	Patterson	Vickers
Cockrell	Hubbard	Pitts	Waddell
Cook	Jeter	Poole	Ward (Geneva)
Darden	Jones (Bullock)	Quillin	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Rogers (Elmore)	Webb
Edwards	Jordan (Etowah)	Rogers (Mobile)	Winn
Fite	Kirkpatrick		

—58

Nays:

Messrs:

Cannon	Hightower	Nipper	Stewart (Bibb)
Deloney	Hollis	Rankin	Ware
Gullatt			

—9

And said bill:

S. 110. To amend Sections 1754, 1757, 1760, 1894, 2341, and 2364 of the Code of Alabama.

As amended by the substitute was read a third time at length and passed.

Yeas, 51; Nays, 9.

Yeas:

Messrs.:

Mr. Speaker	Beebe	Cook	Fite
Allen	Brunson	Darden	Goode
Anderson	Christian	Denson	Goodwyn
Bartlett	Cockrell	Edwards	Green

Grove	Martin	Poole	Stewart (Calhoun)
Hawkins	Matthews	Powell	Tunstall
Howard	Merrill	Ringer	Vickers
Hubbard	Miller (Marengo)	Rogers (Elmore)	Waddell
Hughes	Miller (Sumter)	Rogers (Mobile)	Ward (Geneva)
Jeter	Molette	Sanders (Conecuh)	Ward (Tuscaloosa)
Jones (Bullock)	Parish	Smith	Webb
Kirkpatrick	Patterson	Starnes	Winn
Lee	Pitts	Stephens	—51

*Nays:**Messrs:*

Cannon	Hollis	Quillin	Stewart (Bibb)
Deloney	Nipper	Rankin	Ware
Hightower			—9

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the Resolutions:

H. J. R. 325, Relative to requesting the Governor to return to the House for further consideration, Senate Bill 70.

Also:

H. J. R. 326. Relative to extending the thanks of the Legislature to B. deG. Waddell and Sibley Holmes for their courtesy for the barbecue tendered the Legislature yesterday.

And returns same herewith to the House.

J. E. Speight,
Secretary.

BILL ON THIRD READING

S. 410. To provide a code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefitted or increased in value by reason of such improvements, and to repeal all laws in conflict with the same.

Was taken up. The question was upon the adoption of the amendment reported by the Standing Committee on Municipal Organization. Said amendment being as follows:

Amend Senate Bill Number 410 as follows:

Amend Title of said Bill by changing the comma after the word "improvements" and before the words "and to repeal" so that the same shall be a semi-colon, and inserting after the semi-colon and before the words "and to repeal", the following:

And amending sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210,

2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2236, 2237, of the Code of Alabama of 1923; and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235 of said Code:

And the amendment was adopted.

Yeas, 46; Nays, 8.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Johnson	Pegues
Adcock	Fite	Jordan (Etowah)	Pitts
Allen	Goode	Jordan (Washington)	Quillin
Anderson	Goodwyn	Lee	Reeder
Baldwin	Green	Luck	Sanders (Conecuh)
Beebe	Grove	McAdory	Sanderson
Bryant	Hawkins	Martin	Smith
Byars	Hightower	Matthews	Stewart (Calhoun)
Christian	Howard	Miller (Sumter)	Tompkins
Darden	Howell	Monk	Tunstall
Denson	Hubbard	Patterson	Ward (Tuscaloosa)
Desear	Jeter		

—46

Nays:

Messrs:

Burleson	Carter	Deloney	Kirkpatrick
Cannon	Cockrell	Jones (Cleburne)	Ware

—8

Mr. Fite offered the following amendment to the Bill, S. 410.
Amend Senate Bill 410 as follows:

1. Amend Section 3 by striking out the comma and the word "and" after the words "and the following named water and gas mains and service connections", and inserting a period in lieu of such comma, and after the period insert the following words:

"All cities or towns in this state having a population of sixty thousand inhabitants or more, according to the last or any subsequent Federal census, may design or cause to be designed, contract for and execute, or cause to be executed, the construction of"

2. Amend Section 3 by striking out the comma and the word "and" after the words "swamps or inundated or overflowed or submerged land within the limits of such municipality", and inserting a period in lieu of such comma, and after the period insert the following words:

"All cities or towns in this state may design or cause to be designed, contract for and execute, or cause to be executed, the construction of"

3. Amend Section 3 by striking out the comma and the words "and may cause the cost and expense of all or any part thereof" after the words "with such material as the council of such city

or town may prescribe", and insert a period in lieu of such comma, and then insert the following words:

"Each city or town in this state may cause the cost and expense of all or any part of any improvement or re-improvement which it is authorized to make under the provisions of this section,"

4. Amend subdivision 9 of section 3 by inserting after the figure 9 the following:

"In cities having a population of sixty thousand or more according to the last or any subsequent Federal census."

5. Amend Section 5 by striking out the words "such municipality", where such words appear after the words "When the contemplated improvement is the construction of a system for draining swamps or for the draining of swamps or inundated or overflowed or submerged land within the limits of", and insert in lieu thereof the following words:

"any municipality in this state having a population of sixty thousand inhabitants or more, according to the last or any subsequent Federal census,"

6. Amend Section 9 by striking out the words "discount on bonds if same are sold at less than par."

7. Amend Section 11 by striking out the last paragraph thereof.

8. Amend Section 14 by striking out the words "elevated, filled, reclaimed"; and by inserting after the words "special benefits derived from such improvements" the followings words:

"If the construction or reconstruction of a system or systems of drainage of swamps or inundated or overflowed lands within the limits of any municipality having a population of sixty thousand or more inhabitants, according to the last or any subsequent Federal census, be finally ordered and constructed, the governing body of said city shall have power and authority, after the completion and acceptance thereof, to assess the cost thereof or any part of the cost thereof upon and against the property elevated, filled, reclaimed, drained or benefited by such improvement, to the extent of the increased value of such property by reason of the special benefits derived from such improvements."

9. Amend Section 23 by inserting after the words "or reclaiming of swamps or overflowed, inundated, or submerged land" the following words:

"within the limits of any municipality having a population of sixty thousand or more inhabitants, according to the last or any subsequent Federal census"

And the amendment offered by Mr. Fite was adopted.

Yeas, 47; Nays, 11.

Yeas:

Messrs.:

Mr. Speaker	Desear	Martin	Rivers
Adcock	Fite	Matthews	Rogers (Elmore)
Allen	Goode	Merrill	Rogers (Mobile)
Anderson	Goodwyn	Miller (Marengo)	Smith
Baldwin	Green	Miller (Sumter)	Stephens
Bartlett	Harwood	Moxley	Stewart (Calhoun)
Beebe	Hubbard	Mullen	Tompkins
Bryant	Jeter	Parish	Tunstall
Burns	Johnson	Patterson	Waddell
Cook	Jordan (Etowah)	Pitts	Ward (Tuscaloosa)
Darden	Jordan (Washington)	Quillin	Ware
Denson	Lee	Reeder	

—47

Nays:

Messrs.:

Carter	Hawkins	Jones (Clebune)	Sanderson
Cockrell	Hightower	Pegues	Starnes
Edwards	Hollis	Sanders (Conecuh)	

—11

Mr. Sanderson offered the following amendment to the Bill, S. 410:

Amend Senate Bill No. 410 as follows by striking therefrom subdivision 2 of Sec. 3 of said bill.

And the amendment offered by Mr. Sanderson was adopted.

Yeas, 55; Nays, 3.

Yeas:

Messrs.:

Mr. Speaker	Denson	Johnson	Reeder
Adcock	Edwards	Jones (Clebune)	Rivers
Allen	Fite	Jordan (Washington)	Rogers (Elmore)
Anderson	Frey	Kirkpatrick	Rogers (Mobile)
Baldwin	Goode	Matthews	Sanders (Conecuh)
Bartlett	Goodwyn	Miller (Marengo)	Sanders (Pike)
Beebe	Green	Monk	Sanderson
Bryant	Harwood	Moxley	Smith
Burleson	Hawkins	Mullen	Stewart (Calhoun)
Carter	Hightower	Parish	Tompkins
Christian	Howard	Patterson	Waddell
Cockrell	Howell	Pitts	Ware
Cook	Hubbard	Poole	Webb
Darden	Jeter	Quillin	

—55

Nays:

Messrs.:

Cannon	Grove	Lee	
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—3

Mr. Rankin offered the following amendment to the Bill, S. 410:

Amend Senate Bill 410 as follows:

Amend Section 2209 as amended by adding thereto the following:

In event the court or jury shall not sustain the assessment for the full amount, the cost of appeal and trial in circuit court shall be adjudged against the municipality.

And the amendment offered by Mr. Rankin was adopted.

Yeas, 55; Nays, 3.

Yeas:

Messrs:

Mr. Speaker	Denson	Jordan (Etowah)	Rankin
Adcock	Edmundson	Jordan (Washington)	Reeder
Allen	Fite	Kirkpatrick	Ringer
Anderson	Frey	Miller (Marengo)	Rivers
Baldwin	Goode	Miller (Sumter)	Rogers (Mobile)
Bartlett	Goodwyn	Morrow	Stewart (Calhoun)
Beebe	Green	Mullen	Tompkins
Bryant	Grove	Nipper	Tunstall
Burns	Harwood	Owens	Vickers
Carter	Hawkins	Parish	Waddell
Christian	Hightower	Patterson	Ward (Geneva)
Cockrell	Howard	Pitts	Ware
Cook	Johnson	Powell	Webb
Darden	Jones (Clebume)	Quillin	

—55

Nays:

Messrs.:

Hubbard	Lee	Smith
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—3

And said Bill:

S. 410. To provide a Code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefitted or increased in value by reason of such improvements, and to repeal all laws in conflict with the same."

As amended was read a third time at length and passed.

Yeas, 53; Nays, 17.

Yeas:

Messrs:

Mr. Speaker	Fite	Jordan (Washington)	Poole
Allen	Goode	Lee	Powell
Anderson	Goodwyn	Luck	Reeder
Baldwin	Graves	McAdory	Rogers (Elmore)
Beebe	Grove	Martin	Rogers (Mobile)
Johnson	Hawkins	Merrill	Smith
Bryant	Howard	Molette	Stewart (Calhoun)
Burns	Howell	Moxley	Thompson
Cockrell	Hubbard	Mullen	Tompkins
Cook	Jeter	Nipper	Tunstall
Darden	Johnson	Parish	Vickers
Denson	Jones (Clebume)	Patterson	Ward (Tuscaloosa)
Edmundson	Jordan (Etowah)	Pitts	Webb
Edwards			

—53

Nays:

Messrs:

Adcock
Burleson
Byars
Cannon
Carter

Deloney
Golson
Green
Gullatt

Guy
Hampton
Hightower
Pegues

Quillin
Sanders (Conecuh)
Sanderson
Starnes

—17

MESSAGE FROM THE SENATE

Mr. Speaker:

Te Senate has passed the following House Bills, and returns same herewith to the House:

H. 490. To amend section 6248 of the Code of Alabama, 1923.

H. 480. To amend Sections 10293 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Te Senate has concurred in and adopted the Resolution:

H. J. R. 324. Relative to the Speaker of the House and President of the Senate erasing their signatures from S. B. 238, To amend Section 7327 of the Code of Alabama, 1923.

Pursuant to said resolution, the President of the Senate has erased his signature from said bill.

And returns same herewith to the House.

J. E. Speight,
Secretary.

ERASURE OF SIGNATURE

In accordance with a Joint Resolution heretofore adopted the Speaker of the House in the presence of the House erased his signature from the Bill S. 238.

RECONSIDERATION

On motion of Mr. Tunstall the vote by which the Bill, S. 238, was passed on the previous Legislative Day was reconsidered. And on motion of Mr. Tunstall the vote by which the Bill S. 238 was ordered to a third reading was reconsidered.

And the Bill:

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

Was taken up. Mr. Tunstall offered the following amendment to the Bill, S. 238.

Amend the bill by striking out \$7000.00 wherever it occurs and inserting in lieu thereof \$6600.00.

And the amendment offered by Mr. Tunstall was adopted.

Yeas, 71; Nays, 0.

Yeas:

Messrs.:

Adcock	Denson	Jordan (Etowah)	Poole
Allen	Desear	Jordan (Washington)	Quillin
Anderson	Fite	Kirkpatrick	Rankin
Baldwin	Goode	Lee	Reeder
Bartlett	Green	Luck	Ringer
Beebe	Grove	Martin	Rogers (Mobile)
Brunson	Hampton	Matthews	Sanders (Conecuh)
Bryant	Hawkins	Miller (Marengo)	Sanders (Pike)
Burleson	Hightower	Miller (Sumter)	Simpson
Burns	Hollis	Molette	Smith
Byars	Howard	Monk	Starnes
Cannon	Howell	Moxley	Stewart (Calhoun)
Carter	Hubbard	Mullen	Thompson
Christian	Hughes	Owens	Tunstall
Cockrell	Jeter	Parish	Vickers
Cook	Johnson	Patterson	Ward (Tuscaloosa)
Darden	Jones (Bullock)	Pegues	Winn
Deloney	Jones (Cleburne)	Pitts	

—71

And said Bill:

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

As amended was read a third time at length and passed.

Yeas, 70; Nays, 1.

Nays:

Messrs.:

Adcock	Desear	Jordan (Washington)	Poole
Allen	Fite	Kirkpatrick	Quillin
Anderson	Goode	Lee	Rankin
Baldwin	Green	Luck	Reeder
Bartlett	Grove	Martin	Ringer
Beebe	Hampton	Matthews	Rogers (Mobile)
Brunson	Hawkins	Miller (Marengo)	Sanders (Conecuh)
Bryant	Hightower	Miller (Sumter)	Sanders (Pike)
Burleson	Hollis	Molette	Simpson
Burns	Howard	Monk	Smith
Byars	Howell	Moxley	Stewart (Calhoun)
Carter	Hubbard	Mullen	Thompson
Christian	Hughes	Owens	Tunstall
Cockrell	Jeter	Parish	Vickers
Cook	Johnson	Patterson	Wallace
Darden	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Deloney	Jones (Cleburne)	Pitts	Winn
Denson	Jordan (Etowah)		

—70

Nay:—Mr. Cannon—1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill:

H. 724. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

By a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 24; Nays, 0.

And said bill, H. 724, as thus amended by the report of the Conference Committee was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 24; Nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding Twenty Million (\$20,000,000.00) Dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State Bond Issue allocated to the several counties of the State for the construction and the improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State Bond Issue allocated to the institutions of higher learning including the

normal schools; to authorize a state-wide school building survey, and to make an appropriation therefor.

And said bill, H. B. 1124, as amended by the report of the Conference Committee, was again read a third time at length and passed by the Senate.

And returns same herewith to the House.

J. E. Speight,
Secretary.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bill:

H. 490. To amend section 6248 of the Code of Alabama, 1923.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RECESS

On motion of Mr. Poole the House recessed until 2:00 o'clock P. M. today.

AFTERNOON SESSION

The hour of 2:00 P. M. having arrived the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills and returns same herewith to the House:

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Tunstall the House concurred in and adopted the Senate amendment to the Bill, H. 972. Said Senate amendment being as follows:

SENATE SUBSTITUTE FOR H. BILL 972

A Bill to be entitled an Act to make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt for the fiscal years ending on the 30th day of September of 1928, 1929, 1930 and 1931, to be paid out of any moneys in the treasury not otherwise appropriated, the several sums of money hereinafter specified, or so much thereof as may be necessary.

Section 2. Executive Office: (1) For the compensation of the Governor Seventy-five Hundred Dollars (\$7,500.00) for every year. (2) For compensation of the Private Secretary to the Governor thirty-six Hundred Dollars (\$3,600.00) for every year. (3) For compensation of the Recording Secretary Twenty-four Hundred Dollars (\$2,400.00) for every year. (4) For compensation of a Clerk Two Thousand Dollars (\$2,000.00) for every year. (5) For compensation of a Stenographer Fifteen Hundred Dollars (\$1,500.00) for every year. (6) For compensation of a Messenger Nine Hundred Dollars (\$900.00) for every year.

Section 3. Secretary of State. (1) For the compensation of Secretary of State Four Thousand Dollars (\$4,000.00) for every year. (2) For compensation of the Chief Clerk Twenty-seven Hundred and Fifty Dollars (\$2,750.00) for every year. (3) For compensation of a File Clerk and Stenographer Eighteen Hundred Dollars (\$1,800.00) for every year. (4) For compensation of a Stenographer Twelve Hundred Dollars (\$1,200.00) for every year.

Section 4. State Auditor: (1) For compensation of the State Auditor Four Thousand Dollars (\$4,000.00) for every year. (2) For compensation of Chief Clerk Twenty-seven Hundred and Fifty Dollars (\$2,750.00) for every year. (3) For the compensation of the Warrant Clerk Twenty-seven Hundred and Fifty Dollars (\$2,750.00) for every year. (4) For compensation of the Assistant Warrant Clerk Sixteen Hundred and Eighty Dollars (\$1,680.00) for every year. (5) For compensation of the Land Clerk Twenty-one Hundred Dollars (\$2,100.00) for every year. (6) For compensation of the General Bookkeeper Twenty-

four Hundred Dollars (\$2400.00) for every year. (7) For compensation of the Disbursement Bookkeeper Eighteen Hundred Dollars (\$1,800.00) for every year. (8) For compensation of the Receipts Bookkeeper Twelve Hundred Dollars (\$1200.00) for every year. (9) For compensation of the File and Record Clerk Sixteen Hundred and Eighty Dollars (\$1,680.00) for every year. (10) For compensation of the File Clerk Fifteen Hundred Dollars (\$1,500.00) for every year. (11) For compensation of the Stenographer Twelve Hundred Dollars (\$1,200.00) for every year. (12) For compensation of the Chief Clerk of the Pension Department Twenty-four Hundred Dollars (\$2,400.00) for every year. (13) For compensation of the Stenographer of the Pension Department Fifteen Hundred Dollars (\$1,500.00) for every year.

Section 5. State Treasurer: (1) For compensation of the Treasurer Four Thousand Dollars (\$4,000.00) for every year. (2) For compensation of the Chief Clerk Twenty-seven Hundred and Fifty Dollars (\$2,750.00) for every year. (3) For compensation of the Bond Clerk Two Thousand Dollars (\$2,000.00) for every year. (4) For compensation of the Receiving Clerk Two Thousand Dollars (\$2,000.00) for every year. (5) For compensation of the Disbursing Clerk Two Thousand Dollars (\$2,000.00) for every year. (6) For compensation of the Warrant Clerk Two Thousand Dollars (\$2,000.00) for every year. (7) For compensation of the Clerk and Stenographer Twelve Hundred Dollars (\$1,200.00) for every year. (8) For compensation of the Pension Clerk Twelve Hundred Dollars (\$1,200.00) for every year.

Section 6. Attorney General: (1) For compensation of the Attorney General Six Thousand Dollars (\$6,000.00) for every year. (2) For compensation of the First Assistant Attorney General Five Thousand Dollars (\$5,000.00) for every year. (3) For compensation of the Second Assistant Attorney General Four Thousand Dollars (\$4,000.00) for every year. (4) For compensation of the Third Assistant Attorney General Thirty-six Hundred Dollars (\$3,600.00) for every year. (5) For compensation of the Fourth Assistant Attorney General Thirty-six Hundred Dollars (\$3,600.00) for every year. (6) For compensation of the Fifth Assistant Attorney General Three Thousand Dollars (\$3,000.00) for every year. (7) For compensation of two stenographers Fifteen Hundred Dollars each (\$1,500.00) for every year. (8) For compensation of a stenographer Thirteen Hundred and Twenty Dollars (\$1,320.00) for every year.

Section 7. Archives and History: (1) For compensation of the Director of the Department of Archives and History Four Thousand Dollars (\$4,000.00) for every year. (2) For compensation of the Chief Clerk Twenty-four Hundred Dollars (\$2,-

400.00) for every year. (3) For the compensation of Curator Three Thousand Dollars (\$3,000.00) for every year. (4) For compensation of the Librarian Two Thousand Dollars (\$2,000.00) for every year. (5) For compensation of the stenographer and Statistician Fifteen Hundred Dollars (\$1,500.00) for every year. (6) For compensation of the bookkeeper Twelve Hundred Dollars (\$1,200.00) for every year. (7) For compensation of the File Clerk Twelve Hundred Dollars (\$1,200.00) for every year. (8) For compensation of the War Records Clerk Fifteen Hundred Dollars (\$1,500.00) for every year. (9) For compensation of the Military Clerk Twelve Hundred Dollars (\$1,200.00) for every year; provided, however, that none of the appropriations mentioned in this section above shall be available to pay any assistant except when such assistant's employment be with the consent and approval of the Governor, and that none of this appropriation shall be available until the Governor has approved the appointment of the person to fill the position hereinabove provided for. (10) For filing equipment for the year ending September 30, 1928 Sixty-eight Hundred and Fifty Dollars (\$6850.00) (11) For filing equipment for the years ending September 30, 1929, 1930, and 1931, respectively Eighteen Hundred and Fifty Dollars (\$1,850.00) for every year. (12) For traveling expenses Seven Hundred and Fifty Dollars (\$750.00) for every year. (13) For stationery and office supplies Fifteen Hundred Dollars (\$1,500.00) for every year. (14) For books and periodicals Twelve Hundred Dollars (\$1,200.00) for every year. (15) For postage Six Hundred Dollars (\$600.00) for every year. (16) For binding books and papers Two Thousand Dollars (\$2,000.00) for every year. (17) For printing blanks, bulletins, etc. Two Hundred and Fifty Dollars (\$250.00) for every year. (18) For manual labor Twelve Hundred Dollars (\$1,200.00) for every year. (19) For miscellaneous requirements of the Department Two Hundred and Fifty Dollars (\$250.00) for every year.

Section 8. State Tax Commission: (1) For compensation of the Chairman of the State Tax Commission Four Thousand Dollars (\$4,000.00) each for every year (2). For compensation of the four associate members of the Tax Commission, Four thousand dollars (\$4,000.00) each for every year. (3) For compensation of the Secretary Twenty-four Hundred Dollars (\$2,400.00) for every year. (4) For the compensation of the necessary clerks and assistants for traveling expenses, and all other necessary expenses of the Department Two Hundred Thousand Dollars, (\$200,000.00) for every year.

Section 9. Banking Department: (1) For the compensation of the Superintendent of Banks Six Thousand Dollars (\$6,000.00) for every year. (2) For the compensation of Assistant Superintendent of Banks Forty-two Hundred Dollars (\$4,-

200.00) for every year. (3) For the compensation of six Bank Examiners Three Thousand Dollars (\$3,000.00) each for every year. (4) For the compensation of three stenographers Eighteen Hundred Dollars (\$1,800.00) each for every year. (5) For the compensation of the Liquidating Agent Three Thousand Dollars (\$3,000.00) for every year. (6) For the payment of the traveling expenses of the members of the department Twelve Thousand Eight Hundred Dollars (\$12,800.00) for every year.

Section 10. Military Department. (1) For the compensation of the Adjutant General Four Thousand Dollars (\$4,000.00) for every year. (2) For the compensation of the Assistant Adjutant General Twenty-four Hundred Dollars (\$2,400.00) for every year. (3) For the compensation of the State Property and Disbursing Officer Three Thousand Dollars (\$3,000.00) for every year. (4) For the compensation of United States Property and Disbursing Officer Twenty-four Hundred Dollars (\$2,400.00) for every year. (5) For the compensation of Assistant Property and Disbursing Officer Twenty-four Hundred Dollars (\$2,400.00) for every year. (6) For the compensation of an Assistant Property and Disbursing Officer Two Thousand Dollars (\$2,000.00) for every year. (7) For the compensation of an Assistant Property and Disbursing Officer Fifteen Hundred Dollars (\$1,500.00) for every year. (8) For the compensation of a clerk and stenographer Eighteen Hundred Dollars (\$1,800.00) for every year. (9) For the compensation of two clerks and Stenographers Twelve Hundred Dollars (\$1,200.00) each for every year. (10) For the organization allowances and other departmental expenses Seventy-one Thousand Seven Hundred Dollars (\$71,700.00) for every year.

Section 11. Mine Inspectors. (1) For the compensation of the Chief Inspector of Mines Four Thousand Dollars (\$4,000.00) for every year. (2) For the compensation of nine District Mine Inspectors Three Thousand Dollars (\$3,000.00) each for every year. (3) For the compensation of the Chief Clerk Twenty-four Hundred Dollars (\$2,400.00) for every year. (4) For the com-

Section 12. Prison Inspector: (1) For the compensation of the State Prison Inspector Four Thousand Dollars (\$4,000.00) for every year. (2) For the compensation of the Chief Clerk Two Thousand Dollars (\$2,000.00) for every year. (3) For the compensation of the Deputy Inspector Eighteen Hundred Dollars (\$1,800.00) for every year. (4) For the compensation of a stenographer Twelve Hundred Dollars (\$1,200.00) for every year. (5) For the payment of traveling expenses and other expenses of the Department Four Thousand Dollars (\$4,000.00) for every year.

Section 13. Law Enforcement Department: For the compensation of the members of the Department, for traveling ex-

pensation of the stenographer One Thousand and Twenty Dollars (\$1,020.00) for every year. (5) For the payment of the traveling and other expenses of the Department such sum as may be necessary.

penses and all other expenses of the Department One Hundred Thousand Dollars (\$100,000.00) for every year.

Section 14. Department of Examiner of Accounts: For the salaries and traveling expenses of the Chief Examiner of Accounts and the Assistant Examiner of Accounts One Hundred Thousand (\$100,00.00) for every year.

Section 15. Budget Commission: For the compensation of the six members of the Budget Commission Twelve Hundred Dollars each (\$1,200.00) for every year.

Section 16. Convict Department: For the maintenance of the Convict Department such sum as may be necessary to meet the expenses of such department in the event the receipts arising from the operation of the Department at any time prove insufficient therefor.

Section 17. Special Appropriations: (1) For the Governor's Contingent Fund Twenty-five Thousand Dollars (\$25,000.00) for every year.

(2) For Governor's Mansion Repair Fund One Thousand Dollars (\$1,000.00) for every year, and for light, heat, service and other expenses incident thereto the sum of Two Hundred Dollars (\$200.00) for each and every month payable on requisition of the Governor.

(3) For fuel, lights and water Twenty Thousand Dollars (\$20,000.00) for every year.

(4) Postage and post-office box rent Ten Thousand Dollars (\$10,000.00) for every year.

(5) For stationery and office supplies Twenty Thousand Dollars (\$20,000.00) for every year.

(6) For repairing and refurnishing the Capitol Twenty Thousand Dollars (\$20,000.00) for every year.

(7) For additions and enlargements to the Capitol One Hundred Thousand Dollars (\$100,000.00) for every year.

(8) For public printing Fifty Thousand Dollars (\$50,000.00) for every year.

(9) For telephone and telegraph Five Thousand Dollars (\$5,000.00) for every year.

(10) For publishing Governor's Proclamation a lump sum of Forty Thousand Dollars (\$40,000.00) for the quadrennium, to be available when needed.

(11) For insurance on the Capitol and Capitol buildings Twelve Thousand Five Hundred Dollars (\$12,500.00) for every year.

(12) For premiums on official bonds Five Thousand Dollars (\$5,000.00) for every year.

(13) For interest on constitutional loans Fifteen Thousand Dollars (\$15,000.00) for every year.

(14) For the Governor's Interest Contingent Fund One Hundred Thousand Dollars (\$100,000.00) for every year.

(15) For distributing public documents Eighteen Hundred Dollars (\$1,800.00) for every year.

(16) For repairs and improvements to residence property owned and rented by the State Three Thousand Dollars (\$3,000.00) for every year.

(17) For feeding prisoners One Hundred and Sixty Thousand Dollars (\$160,000.00) for every year.

(18) For the arrest of absconding felons Three Thousand Dollars (\$3,000.00) for every year.

(19) For the removal of prisoners Seventy-five Hundred Dollars (\$7500.00) for every year.

(20) For the per diem and mileage of the Presidential Electors Eight Hundred Dollars for the Quadrennium, to be available when needed.

(21) For interest on bonded debt of the State Three Hundred and Thirty-nine Thousand Seven Hundred and Twenty Dollars (\$339,720.00) for every year.

(22) For the re-union of Confederate Veterans One Thousand Dollars for every year.

(23) For the White House of the Confederacy Twenty-five Hundred Dollars for every year.

(24) For the Confederate Museum at Richmond, Virginia Two Hundred and Fifty Dollars (\$250.00) for every year.

(25) For payment of obligations already incurred in connection with the purchase of real property in the City of Montgomery in proximity of the Capitol, under the Act to authorize the Governor, the Chief Justice of the Supreme Court and the Attorney General to acquire for the use of the State additional property, approved October 1, 1923, the lump sum of Seventy Thousand Dollars (\$70,000.00) to be available when needed.

Section 18. Miscellaneous:

(1) For the compensation of the Capitol Watchmen Six Thousand Three Hundred Dollars (\$6,300.00) for every year.

(2) For the compensation of Temporary clerks in the various State Departments, such sum as may be necessary. (3) For the compensation of the Capitol Electrician Eighteen Hundred Dollars (\$1,800.00) for every year.

Section 19. Supreme Court: (1) For the compensation of the Chief Justice of the Supreme Court Seventy-five Hundred Dollars (\$7,500.00) for every year. (2) For the compensation of the six Justices of the Supreme Court Seventy-five Hundred

Dollars (\$7,500.00) each for every year. (3) For the compensation of the Clerk of the Supreme Court Four Thousand Dollars (\$4,000.00) for every year. (4) For the compensation of the Assistant Clerk of the Supreme Court Two Thousand Four Hundred Dollars (\$2400.00) for every year. (5) For the compensation of the stenographer Twelve Hundred Dollars (\$1,200.00) for every year. (6) For the compensation of the Reporter Thirty-six Hundred Dollars (\$3600.00) for every year. (7) For the compensation of a stenographer Ten Hundred and Twenty Dollars (\$1,020.00) for every year. (8) For the compensation of the Secretary of the Chief Justice Fifteen Hundred Dollars (\$1500.00) for every year. (9) For the compensation of two Secretaries to the Court Twenty-four Hundred Dollars (\$2,400.00) each for every year. (10) For the compensation of the Librarian Three Thousand Dollars (\$3,000.00) for every year. (11) For the Compensation of Assistant Librarian Fifteen Hundred Dollars (\$1,500.00) for every year. (12) For the compensation of a servant Six Hundred Dollars (\$600.00) for every year.

Section 20. Court of Appeals: (1) For the compensation of the Presiding Judge of the Court of Appeals Sixty-six Hundred Dollars (\$6,600.00) for every year. (2) For the compensation of the two associate Judges of the Court of Appeals Sixty-six Hundred Dollars (\$6,600.00) each for every year. (3) For the compensation of the Clerk of the Court of Appeals Three Thousand Dollars (\$3,000.00) for every year. (4) For the Compensation of the Assistant Clerk Seventeen Hundred and Fifty Dollars (\$1,750.00) for every year. (5) For the compensation of the Secretary Two Thousand Dollars (\$2,000.00) for every year. (6) For the Compensation of Assistant Secretary Fifteen Hundred Dollars (\$1,500.00) for every year.

Section 21. Judicial Circuits: (1) For the compensation of forty Judges of the Circuit Court Five Thousand Dollars (\$5,000.00) each for every year, and not more than \$500.00 per year for expenses, as provided by law. (2) For the compensation of the twenty-three Circuit Solicitors and their Assistants Ninety-one Thousand Two Hundred Dollars (\$91,200.00) for every year. (3) For the traveling expenses of the Judges of the Circuit Courts and the Circuit Solicitors Four Thousand Dollars (\$4,000.00) for every year.

Section 22. That for the payment of all obligations of the State not herein specifically enumerated, such annual sum as may be necessary is hereby appropriated, and whenever any office has been created or whenever the salary of any existing officer has been increased, and the money has not been expressly appropriated to pay the salaries of the officers whose offices have

been created or to pay the salaries which have been so increased, there is hereby appropriated such sum or sums as may be necessary to pay the same at the rate and in the manner authorized and required under existing law.

Section 23. That the appropriation herein made for any department, office or activity of the State, shall be in lieu of any and all existing specific appropriations to such department, office or activity.

Section 24. That in the event any section, clause or provision of this Act shall be held to be unconstitutional and void, such holding shall not affect the validity of any other section, clause or provision of this act.

Section 25. Whenever the employment of any clerical assistance in addition to that prescribed by this Act in any of the State Departments may become necessary in the transaction of the public business, the head of such department must certify to the President of the State Board of Administration—an application for such additional force, setting forth the contingency and the nature and extent of the work to be done and that the same cannot be performed within the time that the public interest requires by the regular force employed in such department and thereupon the President of the Board of Administration being satisfied that the public interest demands such service, must certify his approval to the Governor. In the event the Governor approves such employment he must issue an order authorizing the employment of such clerical assistance for such time as the President of the Board of Administration certified was necessary and cause the application and order to be filed with the President of the Board of Administration who shall, upon the Governor's approval, make such appointment.

Section 26. When the salary or compensation of any officer or employee, as fixed in this Act, has heretofore been paid out of the appropriation made to such particular department for its maintenance or expenses, the salaries or compensation so fixed by this Act shall continue to be paid out of such appropriation for such particular department and the fixing of such salaries or compensations specified in this Act shall not be construed as an additional appropriation in such instances to the appropriation for the maintenance or expenses of the Department.

Section 27. This Act shall become operative October 1, 1927. And the amendment was adopted.

Yeas, 71; Nays, 0.

Yeas:

Messrs.:

Adcock

Allen

Anderson

Baldwin

Bartlett

Beebe

Brunson

Bryant

Burleson

Christian	Hightower	Merrill	Sanderson
Cook	Hollis	Miller (Sumter)	Shepherd
Darden	Howard	Molette	Simpson
Deloney	Howell	Monk	Smith
Denson	Jeter	Mullen	Starnes
Edwards	Johnson	Norman	Stewart (Calhoun)
Fite	Jones (Bullock)	Parish	Tunstall
Golson	Jones (Clebunne)	Patterson	Vickers
Goode	Jordan (Etowah)	Pegues	Waddell
Goodwyn	Kirkpatrick	Rankin	Ward (Tuscaloosa)
Green	Lee	Reeder	Ware
Grove	Luck	Rivers	Webb
Gullatt	McAdory	Rogers (Elmore)	Weldon
Guy	Martin	Rogers (Mobile)	Winn
Harwood	Matthews	Sanders (Pike)	

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BILLS ON THIRD READING

S. 589. To divide Coffee County, Ala., into four commissioners' districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said commissioners' districts shall be elected, and to provide for and fix their time of office; to prescribe their duties and compensation.

Was read a third time at length and passed.

Yeas, 67; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Green	Lee	Powell
Adcock	Grove	Lovell	Quillin
Baldwin	Gullatt	McAdory	Reeder
Bartlett	Guy	Martin	Ringer
Beebe	Hampton	Matthews	Rivers
Brunson	Harwood	Merrill	Starnes
Bryant	Hawkins	Miller (Marengo)	Stephens
Deloney	Hightower	Miller (Sumter)	Thompson
Denson	Hollis	Molette	Tompkins
Desear	Howard	Morrow	Tunstall
Edwards	Hughes	Moxley	Vickers
Fite	Johnson	Mullen	Waddell
Frey	Jones (Bullock)	Owens	Ware
Golson	Jones (Clebunne)	Patterson	Webb
Goode	Jordan (Etowah)	Pitts	Weldon
Goodwyn	Jordan (Washington)	Poole	Winn
Graves	Kirkpatrick		

—67

S. 133. To appropriate the sum of Three Thousand (\$3,000.00) Dollars, to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed while in line of duty as an employee of the State, on December 21, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

Was read a third time at length and passed.
Yeas, 58; Nays, 0.

Yeas:**Messrs.:**

Anderson	Hightower	Nipper	Sanders (Pike)
Beebe	Hollis	Owens	Sanderson
Bryant	Howard	Parish	Shepherd
Carter	Jeter	Patterson	Simpson
Cockrell	Johnson	Pegues	Smith
Deloney	Jones (Bullock)	Pitts	Stephens
Edwards	Jones (Cleburne)	Powell	Stewart (Calhoun)
Fite	Jordan (Etowah)	Quillin	Thompson
Frey	Jordan (Washington)	Rankin	Tompkins
Goode	McAdory	Reeder	Vickers
Goodwyn	Martin	Rivers	Ward (Geneva)
Graves	Matthews	Rogers (Elmore)	Ware
Green	Miller (Sumter)	Rogers (Mobile)	Webb
Grove	Monk	Sanders (Conecuh)	Winn
Gullatt	Mullen		

—58

MESSAGE FROM THE SENATE**Mr. Speaker:**

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

S. 569. To fix the amount of the salary of the Judge of the County Court of Conecuh County, Alabama, to provide for the payment of said salary by warrants of said Judge drawn on the treasury of said County, and to make such warrants a preferred claim against the treasury of said county.

S. 587. To authorize governing bodies of all cities in this state having a population of not less than 35,000 inhabitants and not more than 150,000 inhabitants, according to the last or any subsequent Federal census, to exempt from municipal taxation, and to remit any taxes which may be assessed by such cities for municipal purposes against, manufacturing enterprises and manufacturing establishments of any kind, shipbuilding plants, fertilizer plants and factories and plants constructed or operated for the purpose of manufacturing any kind of manufactured products, now or hereafter located in such municipality; such exemption from municipal taxation and such remission of municipal taxes to be for periods of not longer than ten years at any one time.

S. 514. To provide for the training of mentally retarded children of school age in towns of 6,000 or more population according to the last or any subsequent Federal census.

S. 247. To amend Section 6739 of the Code of Alabama, 1923.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Message from the Senate.

BILL ON THIRD READING

S. 204. To prohibit the transportation of any of the liquors or beverages, the sale or possession, or transportation of which is now prohibited by law in Alabama, in quantities of five gallons or more, and to fix a penalty therefor.

Was taken up. Mr. Martin offered the following amendment to the Bill S. 204:

Amend Senate Bill Number 204 by adding thereto Section 3, as follows:

Sec. 3. No officer of the law, or any other person, shall shoot or otherwise injure any person, who violates the provisions of this Act, in order to effect the arrest or prevent the escape of said person so violating this Act.

On motion of Mr. Tompkins the amendment offered by Mr. Martin was tabled.

Yeas, 54; Nays, 30.

Yeas:

Messrs.:

Adcock	Graves	McAdory	Smith
Anderson	Green	Matthews	Starnes
Baldwin	Gullatt	Miller (Sumter)	Stephens
Bartlett	Hightower	Molette	Stewart (Bibb)
Bryant	Hollis	Monk	Stewart (Calhoun)
Burleson	Howard	Nipper	Thompson
Burns	Howell	Norman	Tompkins
Cannon	Hubbard	Pegues	Tunstall
Christian	Jeter	Powell	Ward (Geneva)
Cockrell	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Cook	Jones (Clebune)	Ringer	Ware
Darden	Kirkpatrick	Rivers	Webb
Denson	Lee	Rogers (Elmore)	Weldon
Frey	Luck		

Nays:

Messrs.:

Mr. Speaker	Beebe	Carter	Desear
Allen	Byars	Deloney	Edwards

Fite	Harwood	Pitts	Sanderson
Golson	Martin	Quillin	Simpson
Goode	Merrill	Rankin	Vickers
Goodwyn	Miller (Marengo)	Rogers (Mobile)	Waddell
Grove	Parish	Sanders (Pike)	Winn
Hampton	Patterson		

—30

Mr. Goodwyn offered the following amendment to the bill:

Amend Section one of Senate Bill 204 by adding thereto the following:

Provided that no officer shall search, or seize for search, any vehicle or animal standing on or moving along any public road or street without first having secured a proper warrant from the proper officer authorizing such search or seizure for search unless he knows that such car is at the time actually transporting prohibited liquors.

On motion of Mr. Tompkins the amendment offered by Mr. Goodwyn was tabled.

Yeas, 59; Nays, 29.

Yeas:

Messrs:			
Adcock	Frey	McAdory	Rivers
Anderson	Golson	Matthews	Rogers (Elmore)
Baldwin	Graves	Merrill	Smith
Bartlett	Harwood	Miller (Marengo)	Starnes
Brunson	Hightower	Miller (Sumter)	Stephens
Bryant	Hollis	Molette	Stewart (Bibb)
Burleson	Howard	Monk	Stewart (Calhoun)
Byars	Howell	Mullen	Thompson
Cannon	Hubbard	Nipper	Tompkins
Christian	Jones (Bullock)	Norman	Tunstall
Cockrell	Jones (Cleburne)	Owens	Ward (Tuscaloosa)
Cook	Jordan (Washington)	Pegues	Ware
Darden	Kirkpatrick	Quillin	Webb
Denson	Lee	Reeder	Weldon
Fite	Luck	Ringer	

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Nays:

Messrs.:			
Mr. Speaker	Goodwyn	Moxley	Sanders (Pike)
Allen	Grove	Parish	Sanderson
Beebe	Guy	Pitts	Shivers
Carter	Hampton	Poole	Simpson
Deloney	Hawkins	Rankin	Vickers
Desear	Jeter	Rogers (Mobile)	Waddell
Edwards	Martin	Sanders (Conecuh)	Winn
Goode			

—29

Mr. Winn offered the following amendment to the bill:

Amend Senate Bill 204 by striking out the words "In quantities of five gallons or more" wherever said words shall appear in said bill.

And on motion of Mr. Tompkins the amendment offered by Mr. Winn was laid on the table.

Yeas, 70; Nays, 9.

Yeas:

Messrs.:

Adcock	Frey	McAdory	Rogers (Elmore)
Allen	Golson	Matthews	Rogers (Mobile)
Anderson	Goode	Merrill	Sanders (Pike)
Baldwin	Goodwyn	Miller (Sumter)	Simpson
Bartlett	Graves	Molette	Smith
Brunson	Grove	Monk	Stephens
Bryant	Harwood	Mullen	Stewart (Bibb)
Burleson	Hightower	Nipper	Stewart (Calhoun)
Burns	Hollis	Norman	Thompson
Byars	Howard	Owens	Tompkins
Cannon	Hubbard	Pegues	Tunstall
Carter	Jeter	Pitts	Vickers
Christian	Jones (Bullock)	Quillin	Waddell
Cockrell	Jones (Clebune)	Rankin	Ward (Tuscaloosa)
Cook	Jordan (Washington)	Reeder	Ware
Denson	Kirkpatrick	Ringer	Webb
Edwards	Lee	Rivers	Weldon
Fite	Luck		

—70

Nays:

Messrs.:

Beebe	Martin	Parish	Shivers
Darden	Moxley	Sanders (Conecuh)	Winn
Desear			

—9

Mr. Carter offered the following amendment to the bill:

To amend S. B. 204 by striking out the words "Five gallons or more" wherever they appear in the bill and insert in lieu thereof the words "Ten gallons or more".

And the amendment offered by Mr. Carter was lost.

Yeas, 21; Nays, 67.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Moxley	Rogers (Mobile)
Allen	Gullatt	Parish	Sanderson
Beebe	Guy	Patterson	Shivers
Carter	Hawkins	Poole	Simpson
Edwards	Martin	Rankin	Vickers
Goode			

—21

Nays:

Messrs.:

Adcock	Burleson	Cook	Frey
Anderson	Burns	Darden	Graves
Baldwin	Byars	Deloney	Green
Bartlett	Cannon	Denson	Grove
Brunson	Christian	Desear	Harwood
Bryant	Cockrell	Fite	Hightower

Hollis	Matthews	Pitts	Stewart (Calhoun)
Howard	Merrill	Quillin	Thompson
Howell	Miller (Marengo)	Reeder	Tompkins
Hubbard	Miller (Sumter)	Rivers	Tunstall
Jeter	Molette	Rogers (Elmore)	Waddell
Jones (Cleburne)	Monk	Sanders (Conecuh)	Ward (Geneva)
Jordan (Washington)	Mullen	Sanders (Pike)	Ward (Tuscaloosa)
Kirkpatrick	Nipper	Smith	Ware
Lee	Norman	Starnes	Webb
Luck	Owens	Stephens	Weldon
McAdory	Pegues	Stewart (Bibb)	—67

Mr. Goodwyn moved to indefinitely postpone the Bill S. 204 and the motion to indefinitely postpone the Bill S. 204 was lost.

Mr. Martin offered the following amendment to the bill:

Amend Senate Bill 204 by striking therefrom the words "five gallons or more" and inserting in lieu therefor the words any quantity.

On motion of Mr. Brunson the amendment offered by Mr. Martin was laid upon the table.

And the Bill:

S. 204. To prohibit the transportation of any of the liquors or beverages, the sale or possession, or transportation of which is now prohibited by law in Alabama, in quantities of five gallons or more, and to fix a penalty therefor.

Was read a third time at length and passed.

Yeas, 69; Nays, 19.

Yeas:

Messrs:			
Mr. Speaker	Graves	Matthews	Rivers
Allen	Green	Merrill	Rogers (Elmore)
Anderson	Grove	Miller (Marengo)	Sanders (Conecuh)
Baldwin	Harwood	Miller (Sumter)	Shepherd
Bartlett	Hightower	Molette	Smith
Brunson	Hollis	Monk	Starnes
Bryant	Howard	Mullen	Stephens
Burleson	Howell	Nipper	Stewart (Bibb)
Burns	Hubbard	Norman	Stewart (Calhoun)
Byars	Hughes	Owens	Thompson
Cannon	Jeter	Parish	Tompkins
Christian	Jones (Bullock)	Pegues	Tunstall
Cockrell	Jones (Cleburne)	Pitts	Ward (Geneva)
Cook	Kirkpatrick	Powell	Ward (Tuscaloosa)
Darden	Lee	Quillin	Ware
Deloney	Luck	Reeder	Webb
Fite	McAdory	Ringer	Weldon
Golson			—69

Nays:

Messrs:			
Mr. Speaker	Goode	Patterson	Shivers
Beebe	Goodwyn	Rankin	Simpson
Carter	Gullatt	Rogers (Mobile)	Vickers
Desear	Guy	Sanders (Pike)	Winn
Edwards	Martin	Sanderson	—19

TO THE LEGISLATURE OF ALABAMA:

Gentlemen:

In accordance with Joint Resolution passed by the Legislature of Alabama on the Fiftieth (50) Legislative Day relative to Senate Bill No. 70 and as per the request contained in said Resolution, I am returning herewith Senate Bill No. 70.

Respectfully,
Bibb Graves,
Governor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the resolution:

H. J. R. 329. Relative to the Speaker of the House and Presiding Officer of the Senate erasing their signatures from S. B. 70, To amend Sections 10327, 10328 and 10329 of the Code of Alabama, 1923, in order that said bill may be further considered by the House.

And the President of the Senate, in the presence of the Senate, erased his signature from said bill, S. 70.

And returns said resolution, together with said bill, S. B. 70, to the House.

J. E. Speight,
Secretary.

ERASURE OF SIGNATURE

In accordance with H. J. R. 329 the Speaker of the House in the presence of the House erased his signature from the Bill, S. 70.

RECONSIDERATION

On motion of Mr. Goodwyn the vote by which the Bill S. 70 was passed on the previous Legislative Day was reconsidered, and on motion of Mr. Goodwyn the vote by which the Bill S. 70 was ordered to a third reading was reconsidered and the Bill:

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

Was taken up. Mr. Goodwyn offered the following amendment to the Bill S. 70:

Amend Senate Bill 70 by striking out the words "Five Thousand" where they appear in Section 1 of said Bill and insert in lieu thereof the words "Four thousand".

Further amend by striking out the words "Three Thousand" where they appear in Section 2 of said Bill and insert in lieu thereof the words "Twenty-four hundred."

And the amendment was adopted.

Yeas, 59; Nays, 1.

Yeas:**Messrs.:**

Adcock	Denson	Kirkpatrick	Sanders (Conecuh)
Allen	Edwards	Lee	Sanderson
Baldwin	Fite	Luck	Shepherd
Bartlett	Frey	McAdory	Shivers
Beebe	Goode	Martin	Simpson
Bryant	Goodwyn	Matthews	Smith
Burleson	Graves	Merrill	Starnes
Burns	Green	Parish	Stewart (Calhoun)
Byars	Grove	Pegues	Thompson
Carter	Gullatt	Pitts	Tunstall
Christian	Hampton	Reeder	Ward (Geneva)
Cockrell	Hubbard	Ringer	Ward (Tuscaloosa)
Cook	Jeter	Rivers	Webb
Darden	Jordan (Etowah)	Rogers (Elmore)	Winn
Deloney	Jordan (Washington)	Rogers (Mobile)	

—59

Nays:—Mr. Rankin—1.**And the Bill:**

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

As amended was read a third time at length and passed.

Yeas, 58; Nays, 3.

Yeas:**Messrs:**

Adcock	Denson	Lee	Rogers (Elmore)
Allen	Desear	Luck	Rogers (Mobile)
Anderson	Edwards	McAdory	Sanderson
Baldwin	Goode	Martin	Smith
Beebe	Goodwyn	Matthews	Starnes
Brunson	Green	Merrill	Stevens
Bryant	Grove	Miller (Marengo)	Stewart (Bibb)
Burleson	Hampton	Miller (Sumter)	Stewart (Calhoun)
Burns	Hawkins	Monk	Thompson
Byars	Hughes	Mullen	Tunstall
Christian	Jeter	Pegues	Vickers
Cockrell	Jones (Bullock)	Reeder	Ward (Geneva)
Cook	Jones (Cleburne)	Ringer	Ward (Tuscaloosa)
Darden	Jordan (Etowah)	Rivers	Webb
Deloney	Kirkpatrick		

—58

Nays:—Messrs. Cannon, Fite, Hollis,—3.**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has passed the following House Bills and returns same herewith to the House.

H. 1128. To amend an Act entitled an act to establish an Inferior Court of Autauga County, Alabama, in lieu of all Justices of the Peace and Notary Public Ex Officio Justices of the Peace in Prattville Precinct, or Precinct No. 1, of Autauga County,

Alabama; to define the jurisdiction and powers of said Court and the Judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the Judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the Judge thereof.

H. 971. To provide for the election of a county superintendent of education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

H. 1167. To provide for the extension of the term of office of all constables in Counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal census for a period of two years from the time of the expiration of their present term of office and to provide that the present incumbents shall continue to hold said office during said period of two years by which their term is extended; and to fix and prescribe the term of office of all Constables in such counties to be elected at the general election in November 1930 and thereafter.

H. 1171. To require in all Counties in this State having according to the last or any subsequent census 200,000 inhabitants or more, State and County officers and other persons whose salaries, expenses or other claims are now payable upon warrants drawn upon the County Treasury, by such officers, to be itemized, sworn to and presented to the Board of Revenue or other governing body of such counties, for audit and allowance.

H. 995. To extend the terms of all Judges of Inferior Courts created in lieu of Justices of the Peace, in counties having a population of 200,000 or more, according to the last or any subsequent Federal census, and where such Judges of Inferior Courts are elected by the Judges of the Courts of record, or a portion of such Judges of Courts of record, in such counties.

H. 1037. To fix the compensation of circuit clerks of all counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal census.

H. 1155. To better provide for the pay of salaried deputy sheriffs of Walker County out of the fine and forfeiture fund of said county, and to prescribe the method or paying same and the duties of said deputies.

H. 1088. To require all warrants, bonds and commitments, where defendants are held or bound over to await the action of the Grand Jury in Walker County, Alabama, to be returned to and filed with the Clerk of the Circuit Court of Walker County, Alabama, to be kept and filed and furnished to the Solicitor or Foreman of the Grand Jury on demand, and providing that said

Clerk shall make a record of such papers, and further providing that the Clerk of the Circuit Court of Walker County, as ex-officio Clerk of the County Court of Walker County, shall also make a record of all bonds, commitments and warrants in all cases hereafter filed in said County Court and providing that such records or certified copies of same shall have the same legal effect as the originals when the original or any part of same is lost; and providing that the cost for making such record shall be taxed and paid as other cost in criminal cases is taxed and paid.

H. 474. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the appointment and election of an incumbent thereof; and to prescribe the jurisdiction, power, authority, qualifications, duties and compensation of such incumbent.

J. E. Speight,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Goodwyn:

H. J. R. 330. Be it Resolved by the House of Representatives the Senate Concurring:

1. That the Legislature of Alabama offers its thanks to Mrs. Marie Bankhead Owen, Director of the Department of Archives and History, for the gift to each member, of a beautifully illustrated volume, entitled "Our State—Alabama", the same being a condensed history of our Commonwealth.

2. Be it resolved further that we congratulate our beloved members, Judge W. C. Christian of the House and Senator J. B. Stanley of the Senate, the sole Confederate veterans in the two bodies, on the fact that this invaluable historical work of more than seven hundred pages is dedicated in their honor and bears their likenesses as a frontispiece.

On motion of Mr. Goodwyn the Rules were suspended and the Resolution was adopted.

Mr. Grove moved to suspend the Rules in order that the House might proceed to the consideration of the "Sea Wall Bills". The motion of Mr. Grove was lost.

Yeas, 51; Nays, 27.

Yeas:

Messrs:

Anderson	Burns	Golson	Hampton
Baldwin	Cannon	Graves	Howard
Bartlett	Cockrell	Grove	Howell
Beebe	Denson	Gullatt	Hubbard
Burleson	Frey	Guy	Jones (Clebune)

Jordan (Etowah)	Parish	Rogers (Elmore)	Stewart (Bibb)
Jordan (Washington)	Pegues	Sanders (Conecuh)	Stewart (Calhoun)
McAdory	Pitts	Sanders (Pike)	Ward (Geneva)
Merrill	Powell	Sanderson	Ward (Tuscaloosa)
Miller (Marengo)	Quillin	Shepherd	Webb
Molette	Rankin	Shivers	Weldon
Monk	Reeder	Smith	Winn
Owens	Ringer	Starnes	

—51

*Nays:**Messrs:*

Mr. Speaker	Edwards	Kirkpatrick	Simpson
Adcock	Fite	Matthews	Thompson
Carter	Goode	Moxley	Tunstall
Christian	Goodwyn	Nipper	Vickers
Cook	Green	Poole	Waddell
Deloney	Hightower	Rivers	Ware
Desear	Hollis	Rogers (Mobile)	

—27

BILLS ON THIRD READING

S. 492. To amend Section 5645 of the Code of Alabama of 1923.

Was taken up. And on motion of Mr. Carter the Bill S. 492 was laid upon the table.

S. 290. To amend Section 7203 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 57; Nays, 1.

*Yeas:**Messrs.:*

Adcock	Gullatt	Miller (Marengo)	Sanders (Pike)
Allen	Harwood	Miller (Sumter)	Sanderson
Anderson	Hawkins	Molette	Simpson
Baldwin	Hightower	Monk	Smith
Bryant	Howard	Moxley	Starnes
Burns	Hubbard	Mullen	Stephens
Carter	Hughes	Nipper	Stewart (Calhoun)
Cockrell	Jeter	Parish	Thompson
Darden	Jones (Bullock)	Pitts	Tunstall
Denson	Jones (Cleburne)	Reeder	Vickers
Desear	Jordan (Washington)	Rivers	Waddell
Fite	McAdory	Rogers (Elmore)	Ward (Geneva)
Goode	Matthews	Rogers (Mobile)	Ward (Tuscaloosa)
Goodwyn	Merrill	Sanders (Conecuh)	Webb
Green			

—57

Nay:—Mr. Cannon—1.

S. 413. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the

State, or to any Townships thereof, or to the inhabitants of any such Township.

Was read a third time at length and passed.

Yeas, 61; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Fite	Jordan (Washington)	Rogers (Mobile)
Adcock	Goode	McAdory	Sanders (Conecuh)
Allen	Goodwyn	Matthews	Sanders (Pike)
Anderson	Green	Merrill	Sanderson
Baldwin	Grove	Miller (Marengo)	Simpson
Bryant	Gullatt	Miller (Sumter)	Stewart (Calhoun)
Burleson	Hampton	Molette	Thompson
Burns	Hawkins	Moxley	Tompkins
Carter	Hightower	Mullen	Tunstall
Christian	Hollis	Parish	Vickers
Cockrell	Howell	Pitts	Waddell
Cook	Hubbard	Rankin	Ward (Geneva)
Darden	Hughes	Reeder	Ward (Tuscaloosa)
Deloney	Jones (Bullock)	Ringer	Ware
Denson	Jordan (Etowah)	Rogers (Elmore)	Weldon
Desear			

—61

RESOLUTION

The following resolution was introduced:

By Mr. Simpson:

H. J. R. 331. Whereas, America's outstanding pioneer of the air, Col. Chas. A. Lindberg, will be the guest of the National Guard Air Service of Alabama at Birmingham on the 5th of October, next,

And whereas his visit is to aid the development of air ports and facilities in this State to meet the coming need.

Now, therefore, be it resolved that the Legislature Welcome Col. Lindberg to Alabama and wish him God-speed in his worthy undertaking.

On motion of Mr. Simpson the Rules were suspended and the Resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural school buildings and lands.

Said Governor's Message containing the proposed amendment being in the following words and figures to-wit:

To The Legislature of Alabama,
Montgomery, Alabama.
Gentlemen:

I herewith return to the Senate, body in which it originated, Senate Bill 274 without my approval. I suggest the following executive amendment which if concurred in will remove my objections to the bill.

Amend Section 2 by striking out the words "Provided an appraisal of said property made by the Governor shows a value of \$50,000.00 (Fifty Thousand Dollars). Said appropriation to be available October 1, 1928", and substitute therefor the following:

"Provided the appraisal of the property as made by the State Board of Administration shows the property to be of a value equal to Fifty Thousand Dollars (\$50,000.00). The said appropriation herein made to be available when in the opinion of the Governor the condition of the State Treasury warrants and with the approval of the Governor".

Respectfully,
Bibb Graves,
Governor.

September 2, 1927.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to said bill by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 21, Nays, 0.

And said bill, S. B. 274, as thus amended by the amendment proposed by His Excellency, the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 21; Nays, 0.

And said bill, together with the Governor's Message containing the proposed amendment, is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE AND GOVERNOR'S MESSAGE

On motion of Mr. Mullen the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill S. 274. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Senate.

The vote on said amendment being Yeas, 55; Nays, 0.

Yeas:

Messrs.:

Adcock	Carter	Golson	Hubbard
Allen	Christian	Goode	Johnson
Anderson	Cockrell	Goodwyn	Jones (Bullock)
Baldwin	Cook	Grove	Jordan (Washington)
Bryant	Darden	Hawkins	Luck
Burleson	Deloney	Hightower	Matthews
Burns	Denson	Hollis	Miller (Marengo)
Byars	Fite	Howard	Monk

Moxley	Pitts	Rogers (Mobile)	Thompson
Mullen	Quillin	Sanders (Conecuh)	Tompkins
Nipper	Rankin	Sanders (Pike)	Vickers
Norman	Reeder	Sanderson	Ward (Geneva)
Parish	Rivers	Smith	Ware
Pegues	Rogers (Elmore)	Stewart (Calhoun)	—55

Which was a majority of the whole number elected to the House.

And said Bill:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 55; Nays, 0.

Yeas:

Messrs:

Adcock	Denson	Luck	Rivers
Allen	Fite	Matthews	Rogers (Elmore)
Anderson	Golson	Miller (Marengo)	Rogers (Mobile)
Baldwin	Goode	Monk	Sanders (Conecuh)
Bryant	Goodwyn	Moxley	Sanders (Pike)
Burleson	Grove	Mullen	Sanderson
Burns	Hawkins	Nipper	Smith
Byars	Hightower	Norman	Stewart (Calhoun)
Carter	Hollis	Parish	Thompson
Christian	Howard	Pegues	Tompkins
Cockrell	Hubbard	Pitts	Vickers
Cook	Johnson	Quillin	Ward (Geneva)
Darden	Jones (Bullock)	Rankin	Ware
Deloney	Jordan (Washington)	Reeder	—55

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 114. To regulate the feeding of prisoners in county jails and to provide for the manner of payment for the feeding of such prisoners.

Said Conference report being in the following words and figures to-wit:

To the Speaker of the House:

To the President of the Senate:

Your Committee of Conference having under consideration House Bill 114 with the Senate Substitute beg leave to report as follows:

First: We recommend that the Senate recede from its adoption of the Substitute Bill as an amendment to the House Bill.

Second: We further recommend that the Senate adopt the Substitute hereto attached marked Exhibit A as an amendment to the House Bill and pass the bill as amended.

Third: We further recommend that the House concur in the Senate Substitute as an amendment to the House Bill.

Fourth: We further recommend that the House pass the Substitute Bill as amended by the Senate.

Paul O. Luck,
R. T. Goodwyn,
E. O. Baldwin,
Conferees on part of House.
O. S. Justice,
L. H. Ellis,
S. C. Oliver,
Conferees on part of Senate.

EXHIBIT A

H. 114. A Bill to be Entitled an Act to regulate the feeding of prisoners in county jails, and to provide the manner of payment for the feeding of such prisoners, by amending sections 3, 4, 5, 8 and 9 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor" approved September 29th, 1923, and to amend section 4859 of the Code of Alabama of 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That section 3 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor," approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 3. Food for prisoners in the county jails, except as otherwise provided by existing laws, shall be paid for by the State as follows; There shall be allowed such amount as is actually necessary for feed for each prisoner daily, but the said amount so allowed cannot exceed forty-five cents per capita.

Section 2. That section 4 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor", approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 4. There shall be allowed the sheriff for preparing and serving food the additional amount of twenty five cents a day per capita for each prisoner up to and including five; twenty cents a day per capita for each prisoner in excess of five up

to and including ten; and five cents a day per capita for each prisoner in excess of ten up to and including eighty-five, but there shall be no further allowance for any number of prisoners in excess of eighty-five. The minimum allowance to sheriffs under this section shall be not less than \$1.25 per day, to be paid whether there is a prisoner confined in the jail or not; provided the jail over which the sheriff has custody is not closed while undergoing repairs or for other cause.

Section 3. That section 5 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor", approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 5. That the sheriffs who are on a salary basis by virtue of an amendment to the Constitution of Alabama shall not receive the allowance as provided for in this Act for the feeding of prisoners and preparing and serving such food, but such allowance as provided herein shall be paid into the County Treasury, and the Board of Revenue or Court of County Commissioners or other courts of like jurisdiction of such county shall be required and it shall be their duty to furnish the sheriffs of such county with the help necessary for the preparing and serving such foods, and shall pay for same out of the county treasury of such county. The selection of such help to be made by the Sheriff of such county.

Section 4. That section 8 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor", approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 8. That all records shall be kept and statement made on forms prescribed and furnished by the State Prison Inspector and the State Auditor. It shall be the duty of the State Prison Inspector and he is hereby given the authority to supervise either in person, or by deputy, the feeding of all prisoners in the jails of this State. The Sheriffs shall not be required to prepare and make out what is commonly known as the daily ration sheet or expense account, which means a daily record of food served to prisoners.

Section 5. That section 9 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor", approved September 29th, 1923, be and the same is hereby amended so as to read as follows:

Section 9. On or before the tenth day of each month the sheriff shall send to the State Prison Inspector, and to the Court of County Commissioners or Board of Revenue, an itemized

statement, setting out each kind of foodstuff served, with the amount and cost of same, and the number of prisoners fed, during the month next preceding. The sheriff shall keep on file invoices and supporting papers of all foodstuffs purchased or provided, showing the date and amount of such purchases and the cost of same.

Section 6. That section 4859 of the Code of Alabama of 1923, be and the same is hereby amended so as to read as follows:

Section 4859. The inspector may formulate and promulgate such rules and regulations as he may deem necessary with reference to hygiene, sanitation, cleanliness, healthfulness, feeding of prisoners, management and security of all jails, including town and city prisons, and almshouses and such rules and regulations shall have the same force and effect as law provided that this section cannot be construed as authorizing the State Prison Inspector to require the sheriff to make out what is commonly known as the daily ration sheet or expense account.

Section 7. If any section, clause, provision or portion of this Act shall be held to be invalid or unconstitutional by any Court of competent jurisdiction such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Sec. 8. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 9. This Act shall go into effect on the 1st day of October, 1927.

And said bill, H. 114, as thus amended by the report of the Conference Committee, was again read a third time at length and passed.

And returns same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Luck the House concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the Bill H. 114. Said report of said Committee of Conference being set out in the above and foregoing Message from the Senate.

Yeas, 55; Nays, 13.

Yeas:

Messrs.:

Mr. Speaker

Adcock

Allen

Anderson

Baldwin

Bryant

Burleson

Burns

Carter

Christian

Cook

Darden

Denson

Frey

Golson

Goode

Goodwyn	Hughes	Miller (Sumter)	Sanders (Conecuh)
Green	Johnson	Mullen	Sanders (Pike)
Grove	Jones (Bullock)	Nipper	Sanderson
Gullatt	Jordan (Etowah)	Norman	Simpson
Guy	Kirkpatrick	Parish	Smith
Hawkins	Lee	Pitts	Stewart (Calhoun)
Hollis	Luck	Powell	Thompson
Howard	McAdory	Reeder	Tunstall
Howell	Matthews	Rivers	Vickers
Hubbard	Merrill	Rogers (Elmore)	—55

Nays:

Messrs:

Cannon	Jordan (Washington)	Quillin	Tompkins
Fite	Moxley	Rankin	Waddell
Harwood	Pegues	Rogers (Mobile)	Ware
Hightower			—13

And said Bill:

H. 114. To regulate the feeding of prisoners in county jails and to provide for the manner of payment for the feeding of such prisoners as amended by the report of the Conference Committee was again read a third time at length and passed.

Yeas, 51; Nays, 13.

Yeas:

Messrs.:

Mr. Speaker	Denson	Jones (Bullock)	Sanders (Conecuh)
Adcock	Frey	Jones (Cleburne)	Sanders (Pike)
Allen	Goode	Luck	Sanderson
Anderson	Goodwyn	McAdory	Simpson
Baldwin	Grove	Matthews	Smith
Bartlett	Gullatt	Merrill	Starnes
Bryant	Hampton	Miller (Sumter)	Stewart (Calhoun)
Burleson	Hawkins	Nipper	Thompson
Burns	Hollis	Norman	Vickers
Carter	Howard	Parish	Ward (Geneva)
Christian	Howell	Pitts	Ware
Darden	Hughes	Reeder	Weldon
Deloney	Johnson	Rogers (Elmore)	—51

Nays:

Messrs.:

Cannon	Jordan (Washington)	Pegues	Rogers (Mobile)
Fite	Monk	Quillin	Tompkins
Hightower	Moxley	Rankin	Waddell
Harwood			—13

BILLS ON THIRD READING

S. 580. To provide for the appointment of bailiffs in all courts of record in all counties of the State of Alabama having a population of 200,000, or more, according to the last or any subsequent federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

Was read a third time at length and passed.
Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goodwyn	Martin	Starnes
Adcock	Graves	Monk	Stephens
Allen	Green	Morrow	Stewart (Bibb)
Beebe	Grove	Moxley	Stewart (Calhoun)
Bryant	Gullatt	Mullen	Thompson
Burns	Guy	Nipper	Tompkins
Byars	Hawkins	Pegues	Tunstall
Cannon	Hollis	Pitts	Vickers
Carter	Howard	Poole	Waddell
Cook	Howell	Reeder	Wallace
Darden	Hughes	Ringer	Ward (Geneva)
Denson	Jeter	Rivers	Ward (Tuscaloosa)
Desear	Lawler	Rogers (Mobile)	Ware
Edmundson	Lee	Shivers	Webb
Fite	Luck	Simpson	Weldon
Frey	McAdory	Smith	Winn
Goode			

—65

S. 253. To amend Chapter 34 of the Code of Alabama, 1923, by providing for the admission to the Bryce Hospital for the insane, and to the Searcy Hospital for the insane, persons addicted to the use of alcohol, opium, cocaine, their derivations or compounds, and other narcotic drugs, or veronal, and to provide for their detention, treatment and discharge therefrom.

Was read a third time at length and passed.

Yeas, 56; Nays, 2.

Yeas:

Messrs:

Adcock	Goode	Jones (Cleburne)	Rogers (Mobile)
Allen	Goodwyn	Jordan (Etowah)	Sanderson
Anderson	Gullatt	Jordan (Washington)	Shepherd
Bryant	Harwood	Luck	Smith
Burleson	Hawkins	Matthews	Starnes
Burns	Hightower	Merrill	Stephens
Cannon	Hollis	Monk	Stewart (Calhoun)
Christian	Howard	Moxley	Thompson
Cockrell	Howell	Mullen	Tompkins
Cook	Hubbard	Nipper	Tunstall
Darden	Hughes	Norman	Vickers
Denson	Jeter	Reeder	Waddell
Fite	Johnson	Rivers	Ward (Geneva)
Golson	Jones (Bullock)	Rogers (Elmore)	Weldon

—56

Nays:—Messrs. Baldwin and Ware—2.

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof and providing penalties for the violation thereof.

Was taken up. Mr. Hubbard offered the following amendment to the Bill S. 403.

Amend S. 403 by inserting the following words immediately after the word "repealed" in line three of Section 6:

"provided however that nothing contained herein shall be construed to modify, amend or repeal Sections 2831 and 2832 of the Code of Alabama of 1923."

And the amendment was adopted.

Yeas, 56; Nays, 0.

Yeas:

Messrs.:

Adcock	Goodwyn	Kirkpatrick	Rogers (Mobile)
Anderson	Gullatt	Luck	Sanders (Conecuh)
Baldwin	Harwood	Miller (Sumter)	Sanders (Pike)
Bartlett	Hawkins	Monk	Sanderson
Bryant	Hightower	Moxley	Shivers
Burleson	Hollis	Mullen	Starnes
Burns	Howard	Nipper	Stephens
Cannon	Hubbard	Norman	Stewart (Calhoun)
Christian	Hughes	Pegues	Tompkins
Cockrell	Jeter	Pitts	Waddell
Cook	Johnson	Powell	Ward (Geneva)
Darden	Jones (Bullock)	Rankin	Ward (Tuscaloosa)
Fite	Jones (Cleburne)	Reeder	Ware
Goode	Jordan (Etowah)	Rogers (Elmore)	Webb

—56

And said Bill:

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

As amended was read a third time at length and passed.

Yeas, 59; Nays, 0.

Yeas:

Messrs.:

Adcock	Denson	Jones (Cleburne)	Reeder
Allen	Fite	Jordan (Etowah)	Rogers (Elmore)
Anderson	Frey	Jordan (Washington)	Rogers (Mobile)
Baldwin	Golson	Matthews	Sanders (Pike)
Bartlett	Goode	Molette	Shepherd
Bryant	Grove	Monk	Shivers
Burleson	Hampton	Moxley	Stephens
Burns	Hawkins	Mullen	Stewart (Calhoun)
Byars	Hightower	Nipper	Thompson
Cannon	Hollis	Norman	Tompkins
Christian	Howard	Parish	Vickers
Cockrell	Hubbard	Pegues	Ward (Tuscaloosa)
Cook	Jeter	Pitts	Ware
Darden	Johnson	Quillin	Webb
Deloney	Jones (Bullock)	Rankin	

—59

S. 219. To amend Section 4622 of the Code of Alabama 1923.
Was read a third time at length and passed.
Yeas, 65; Nays, 4.

*Yeas:**Messrs.:*

Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	Sanders (Conecuh)
Anderson	Graves	Matthews	Sanders (Pike)
Baldwin	Grove	Merrill	Simpson
Bartlett	Hawkins	Molette	Starnes
Brunson	Hightower	Monk	Stephens
Bryant	Hollis	Moxley	Stewart (Bibb)
Burleson	Howard	Mullen	Stewart (Calhoun)
Burns	Hubbard	Nipper	Thompson
Cannon	Hughes	Norman	Tompkins
Christian	Jeter	Pegues	Tunstall
Cockrell	Johnson	Pitts	Ward (Geneva)
Cook	Jones (Bullock)	Quillin	Ward (Tuscaloosa)
Durden	Jones (Cleburne)	Reeder	Ware
Denson	Jordan (Etowah)	Rivers	Webb
Fite	Jordan (Washington)	Rogers (Elmore)	Weldon
Frey			

—65

*Nays:**Messrs.:*

Mr. Speaker	Carter	Martin	Vickers
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—4

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Was taken up. Mr. Goodwyn offered the following amendment to the Bill S. 215.

Amend Senate Bill 215 by adding at the end the following:

No animal or vehicle used by a person other than the owner shall be subject to seizure unless such use is authorized by the owner or mortgagee and unless the such liquors are therein or thereon transported with the knowledge and consent of the owner or mortgagee.

And the amendment offered by Goodwyn was lost.

Yeas, 28; Nays, 50.

*Yeas:**Messrs.:*

Mr. Speaker	Goodwyn	Jordan (Washington)	Sanders (Conecuh)
Allen	Grove	Martin	Sanders (Pike)
Burns	Gullatt	Moxley	Sanderson
Carter	Hawkins	Parish	Shivers
Cook	Hightower	Pitts	Simpson
Deloney	Hughes	Rankin	Vickers
Goode	Jeter	Rogers (Mobile)	Winn

—28

Nays:

Messrs.:

Adcock	Frey	Molette	Smith
Anderson	Golson	Monk	Starnes
Baldwin	Graves	Mullen	Stephens
Bartlett	Harwood	Nipper	Stewart (Bibb)
Brunson	Hollis	Norman	Stewart (Calhoun)
Bryant	Howard	Pegues	Thompson
Burleson	Hubbard	Powell	Tompkins
Cannon	Johnson	Quillin	Tunstall
Cockrell	Jones (Cleburne)	Reeder	Ward (Tuscaloosa)
Darden	Luck	Ringer	Ware
Denson	McAdory	Rivers	Webb
Edwards	Matthews	Rogers (Elmore)	Weldon
Fite	Merrill		

—50

And said Bill:

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 51; Nays, 16.

Yeas:

Messrs.:

Adcock	Denson	Luck	Rivers
Allen	Fite	McAdory	Rogers (Elmore)
Anderson	Golson	Matthews	Simpson
Baldwin	Graves	Merrill	Smith
Bartlett	Grove	Molette	Starnes
Brunson	Harwood	Monk	Stewart (Calhoun)
Bryant	Hollis	Mullen	Tompkins
Burleson	Howard	Nipper	Ward (Geneva)
Cannon	Hubbard	Norman	Ward (Tuscaloosa)
Christian	Jeter	Pegues	Ware
Cockrell	Jones (Bullock)	Quillin	Webb
Cook	Jones (Cleburne)	Reeder	Weldon
Darden	Jordan (Etowah)	Ringer	

—51

Nays:

Messrs.:

Mr. Speaker	Goodwyn	Martin	Sanders (Pike)
Burns	Hightower	Parish	Sanderson
Carter	Howell	Rogers (Mobile)	Simpson
Goode	Jordan (Washington)	Sanders (Conecuh)	Vickers

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House.

H. 580. To abolish the Commissioners Court of Walker County, and to establish in lieu thereof a Board of Revenue of Walker County, and to provide that the present County Commissioners shall constitute the members of the Board of Revenue.

to prescribe their duties, their powers and fix their compensation.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Shepherd the House concurred in and adopted the Senate amendment to the bill, H. 580. Said Senate amendment being as follows: Amend H. B. 580 by adding Section 7 1-2 to read as follows: 7 1-2. Members of the Board of Revenue of Walker county shall be required to devote full time to the duties of said office.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Goode	McAdory	Reeder
Adcock	Graves	Martin	Ringer
Allen	Green	Matthews	Rivers
Bartlett	Grove	Merrill	Shepherd
Beebe	Gullatt	Molette	Shivers
Bryant	Guy	Monk	Simpson
Burns	Hollis	Morrow	Smith
Byars	Howard	Moxley	Starnes
Cannon	Howell	Mullen	Tunstall
Carter	Hubbard	Nipper	Vickers
Cook	Hughes	Norman	Waddell
Darden	Jeter	Owens	Wallace
Deloney	Johnson	Parish	Ware
Denson	Lawler	Pegues	Webb
Desear	Lee	Pitts	Weldon
Fite	Luck	Rankin	Winn
Frey			

—65

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolution.

H. 474. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the appointment and election of an incumbent thereof; and to prescribe the jurisdiction, power, authority, qualifications, duties and compensation of such incumbent.

Also:

H. 995. To extend the terms of all Judges of Inferior Courts created in lieu of Justices of the Peace, in Counties having a population of 200,000 or more, according to the last or any subsequent Federal census, and where such Judges of Inferior

Courts are elected by the Judges of the Courts of record, or a portion of such Judges of Courts of record, in such counties.

Also:

H. 1167. To provide for the extension of the term of office of all Constables in counties of this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census for a period of two years from the time of the expiration of their present term of office, and to provide that the present incumbents shall continue to hold said office during said period of two years by which their term is extended; and to fix and prescribe the term of office of all constables in such counties to be elected as the general election in November 1930 and thereafter.

Also:

H. J. R. 321. House Joint Resolution, Endorsing the plan of Birmingham Post No. 1 of the American Legion to erect a memorial entrance to "Legion Field" and accepting their invitation to the dedicatory game to be played by the Howard-Birmingham-Southern Colleges on November 19, 1927 for the purpose of raising funds for said memorial.

Also:

H. J. R. 326. House Joint Resolution, Tendering an expression of appreciation of the courtesy of the Capitol employees, and of Boswell de Graffenreid Waddell, and Sibley Holmes for the barbecue given to the members of the Legislature.

And finds same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

S. 514. To provide for the training of mentally retarded children of school age in towns of 6,000 or more population according to the last or any subsequent Federal census.

Said Governor's Message containing the proposed amendment being in the following words and figures to-wit:

To the Legislature of Alabama:

Gentlemen:

I am returning herewith to the Senate, the body in which it originated; Senate Bill 514, without my approval. I suggest the following executive amendment which if concurred in will render the bill free from further objections.

Amend Senate Bill 514 by striking therefrom Section 3 and Section 5.

Respectfully,

Bibb Graves,

Governor.

September 2, 1927.

And the Senate has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 19; Nays, 0.

And said bill, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 18; Nays, 0.

And said bill, together with the Governor's Message containing the proposed amendment, is herewith sent to the House for its consideration.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Pegues the House concurred in and adopted the amendment proposed by the Governor to the Bill S. 514. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Senate.

Yeas, 55; Nays, 0.

Yeas:

Messrs:

Mr. Speaker

Adcock

Allen

Anderson

Baldwin

Bartlett

Brunson

Bryant

Burns

Cannon

Carter

Cook

Darden

Denson

Fite

Golson

Goode

Graves

Grove

Gullatt

Harwood

Hightower

Hollis

Howard

Hubbard

Jeter

Jones (Bullock)

Jones (Clebune)

Jordan (Etowah) Sanders (Pike)

Jordan (Washington) Sanderson

McAdory

Martin

Merrill

Miller (Sumter)

Molette

Monk

Mullen

Nipper

Norman

Pegues

Reeder

Rogers (Mobile)

Smith

Stephens

Stewart (Calhoun)

Thompson

Tunstall

Waddell

Ward (Geneva)

Ward (Tuscaloosa)

Ware

Webb

Weldon

Which was a majority of the whole number elected to the House.

And said Bill:

S. 514. To provide for the training of mentally retarded children of school age in towns of 6000 or more population, according to the last or any subsequent Federal Census.

As amended by the amendment proposed by the Governor was again read a third time at length and passed.

Yeas, 55; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Grove	Luck	Sanders (Conecuh)
Adcock	Gullatt	McAdory	Sanders (Pike)
Allen	Harwood	Martin	Sanderson
Anderson	Hawkins	Miller (Sumter)	Simpson
Bartlett	Hightower	Monk	Smith
Bryant	Hollis	Mullen	Stephens
Burns	Howard	Nipper	Stewart (Calhoun)
Cannon	Hubbard	Norman	Thompson
Christian	Hughes	Parish	Waddell
Darden	Johnson	Pegues	Ward (Geneva)
Deloney	Jones (Bullock)	Reeder	Ward (Tuscaloosa)
Golson	Jordan (Etowah)	Ringer	Ware
Goode	Jordan (Washington)	Rivers	Webb
Goodwyn	Lee	Rogers (Mobile)	

—55

Which was a majority of the whole number elected to the House.

BILLS ON THIRD READING

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the State of Alabama.

Was read a third time at length and passed.

Yeas, 31; Nays, 30.

Yeas:

Messrs.:

Allen	Goodwyn	Martin	Rogers (Mobile)
Baldwin	Grove	Matthews	Simpson
Bartlett	Hawkins	Merrill	Starnes
Beebe	Jeter	Miller (Marengo)	Tunstall
Burns	Johnson	Miller (Sumter)	Vickers
Darden	Jordan (Etowah)	Molette	Waddell
Denson	Lee	Monk	Ward (Geneva)
Goode	Luck	Reeder	

—31

Nays:

Messrs.:

Adcock	Deloney	Jones (Bullock)	Rivers
Anderson	Fite	Jones (Clebune)	Sanders (Conecuh)
Bryant	Golson	McAdory	Sanderson
Cannon	Gullatt	Moxley	Smith
Carter	Hightower	Mullen	Ware
Christian	Hollis	Nipper	Webb
Cockrell	Hubbard	Pegues	Weldon
Cook	Hughes		

—30

S. 363. To amend Sections 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 358 and 359, Code of Alabama 1923, and to repeal Section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing Chapter 18, Volume 1, of said Code.

Was read a third time at length and passed.

Yeas, 56; Nays, 3.

Yeas:

Messrs.:

Allen	Goodwyn	Martin	Rogers (Mobile)
Beebe	Grove	Merrill	Sanders (Conecuh)
Bryant	Hawkins	Miller (Marengo)	Sanders (Pike)
Cannon	Hightower	Miller (Sumter)	Sanderson
Carter	Hollis	Molette	Stephens
Christian	Hubbard	Monk	Stewart (Calhoun)
Cockrell	Hughes	Moxley	Thompson
Cook	Jeter	Mullen	Tompkins
Darden	Johnson	Nipper	Tunstall
Deloney	Jones (Bullock)	Norman	Vickers
Denson	Jordan (Etowah)	Parish	Waddell
Edwards	Jordan (Washington)	Pegues	Ward (Tuscaloosa)
Golson	Luck	Reeder	Ware
Goode	McAdory	Rivers	Winn

—56

Nays:

Messrs.:

Fite	Quillin	Simpson
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—3

S. 487. To authorize the State Board of Education to prepare and maintain a register of those blind persons living in the State of Alabama in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing home industries; to aid in furnishing books, materials, and tools for rehabilitation of the blind; to devise other means of helping them; to provide for an annual report on the activities of the State Board of Education in connection therewith; and to make an appropriation for carrying out the provisions of the Act.

Was read a third time at length and passed.

Yeas, 56; Nays, 2.

Yeas:**Messrs.:**

Adcock	Edwards	Luck	Reeder
Allen	Fite	Martin	Rivers
Anderson	Golson	Matthews	Sanders (Concuh)
Bartlett	Goodwyn	Merrill	Sanders (Pike)
Beebe	Grove	Miller (Marengo)	Sanderson
Bryant	Hightower	Miller (Sumter)	Stephens
Burns	Hollis	Molette	Stewart (Calhoun)
Cannon	Hubbard	Monk	Thompson
Christian	Hughes	Moxley	Tompkins
Cockrell	Jeter	Mullen	Tunstall
Cook	Johnson	Nipper	Vickers
Darden	Jones (Bullock)	Parish	Waddell
Deloney	Jones (Cleburne)	Pegues	Ware
Denson	Jordan (Etowah)	Quillin	Winn

—56

Nays:—Messrs. Jeter, McAdory—2.**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has passed the following House Bills and returns same herewith to the House.

H. 683. To make appropriation to be used by the State Board of Education to aid in the erection, repair and equipment of rural school houses which were destroyed or seriously damaged prior to June 25th, 1927, by fire and where the State Board of Education finds that an emergency is such as defined in this Act exists.

H. 943. To amend Schedule 11-A of Section 361 of an Act entitled, "An Act to provide for the general revenue of the State of Alabama" approved Sept. 15th, 1919.

H. 17. To amend Section 9604 of the Code of Alabama of 1923.

H. 806. To provide for the commitment of veterans of any war, military occupation or expedition, who are of unsound mind, to a United States Veterans' Bureau hospital for restraint, care and treatment.

H. 853. To appropriate the sum of \$1200 for the relief of Clifton E. Clements.

H. 832. To amend Section 6766 of the Code of 1923.

J. E. Speight,
Secretary.

SENATE MESSAGE**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1159. To permit the Board of revenue, or like body, in counties having a population of not less than fifty two thousand and not more than fifty four thousand to give to the Chamber of Commerce, or like body, in any city or town in said county, any sum of money, up to three hundred dollars per month, to be paid monthly.

H. 195. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of Three Thousand Nine Hundred and No-100 (\$3,900.00) Dollars for the relief of the widow and child of Z. B. Talley, deceased, the said widow being named Mollie Talley, and the said child being the child of Z. B. Talley, deceased, and said Mollie Talley.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Harwood, the House concurred in and adopted the Senate amendment to the Bill H. 1159. Said Senate amendment being as follows:

Amend H. 1159 by striking out the words "three hundred dollars" wherever they appear in said Bill or in the caption thereof, and insert in each place where said words are so stricken out the words "one hundred dollars."

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goode	Monk	Sanderson
Adcock	Green	Morrow	Shepherd
Allen	Grove	Moxley	Shivers
Beebe	Gullatt	Mullen	Simpson
Brunson	Guy	Owens	Smith
Bryant	Hollis	Parish	Starnes
Burns	Howard	Patterson	Stephens
Ryars	Howell	Pegues	Tompkins
Cannon	Hubbard	Pitts	Tunstall
Carter	Hughes	Poole	Vickers
Cook	Jeter	Powell	Waddell
Darden	Johnson	Quillin	Wallace
Deloney	Luck	Rankin	Ware
Denson	McAdory	Reeder	Webb
Desear	Martin	Ringer	Weldon
Fite	Molette	Rivers	Winn
Frey			

—65

And on motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the Bill H. 195. Said Senate amendment being as follows:

Amend House Bill 195 as follows:

Strike out the letters and figures—"Three Thousand Nine Hundred and no-100 (\$3,900.00) Dollars" where they occur in lines two and three of the caption of said Act and insert in lieu

thereof the letters and figures,—“One Thousand (\$1000.00) dollars”.

Strike out the letters and figures—“Three Thousand Nine Hundred and no-100 (\$3,900.00) Dollars” where they occur in lines two and three of section one of said Act and insert in lieu thereof the letters and figures—“One Thousand (\$1,000.00) and no-100 Dollars”.

Strike out the letters and figures—“Three Thousand Nine Hundred and no-100 (\$3,900.00) Dollars” where they occur in the fourth line of section two of said Act, and insert in lieu thereof the letters and figures “One Thousand (\$1000.00) Dollars”.

Yeas, 55 ;Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Lee	Reeder
Adcock	Golson	Luck	Rogers (Mobile)
Allen	Goode	McAdory	Sanders (Conecuh)
Anderson	Goodwyn	Martin	Sanders (Pike)
Bartlett	Harwood	Matthews	Sanderson
Beebe	Hawkins	Merrill	Smith
Bryant	Hightower	Miller (Marengo)	Stephens
Cannon	Hollis	Miller (Sumter)	Stewart (Bibb)
Cockrell	Hubbard	Molette	Stewart (Calhoun)
Cook	Jeter	Monk	Tunstall
Deloney	Johnson	Moxley	Vickers
Denson	Jones (Bullock)	Mullen	Waddell
Edwards	Jones (Clebune)	Parish	Ware
Fite	Jordan (Washington)	Quillin	

—55

BILLS ON THIRD READING

S. 259. To amend Section 2 or the Code of 1923.

Was taken up. Mr. Tunstall offered the following substitute for the Bill, S. 259.

A BILL

To be entitled an Act to amend Section 2 of the Code of 1923.
Be it enacted by the Legislature of Alabama:

That Section 2 of the Code of 1923 be and the same is hereby amended to read as follows:

2. (2) (2) (2) (2) (2) (2) Meaning of the terms “Property”, “Circuit”, “Negro”, etc. The following words have in this Code the signification attached to them in this section, unless otherwise apparent from the context:

1. The word “property” includes property, real and personal.
2. The words “real property” are co-extensive with lands, tenements and hereditaments.
3. The words “personal property” include money, goods, chattels, things in action and evidence of debt, deeds and conveyances.

4. The word "circuit" means judicial circuit.

5. The term "negro", within the meaning of this Code, includes mulatto. The term "mulatto", or "person of color", within the meaning of this Code, is a person of mixed blood, descended on the part of the father or mother from negro ancestors, without reference to or limit of time or number of generations removed.

And the substitute was adopted.

Yeas, 57; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jeter	Parish
Adcock	Fite	Johnson	Pegues
Allen	Golson	Jones (Bullock)	Quillin
Anderson	Goode	Jones (Clebume)	Reeder
Baldwin	Goodwyn	Jordan (Washington)	Rivers
Bartlett	Grove	McAdory	Sanders (Conecuh)
Beebe	Gullatt	Matthews	Sanders (Pike)
Bryant	Guy	Miller (Marengo)	Sanderson
Burleson	Harwood	Miller (Sumter)	Starnes
Burns	Hawkins	Molette	Stephens
Cannon	Hightower	Monk	Stewart (Calhoun)
Cockrell	Hollis	Moxley	Tunstall
Cook	Hubbard	Mullen	Ward (Tuscaloosa)
Deloney	Hughes	Nipper	Ware
Denson			

—57

Nay:—Mr. Simpson—1.

And said Bill:

S. 259. To amend Section 2 of the Code of 1923.

As amended was read a third time at length and passed.

Yeas, 57; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jeter	Parish
Adcock	Fite	Johnson	Pegues
Allen	Golson	Jones (Bullock)	Quillin
Anderson	Goode	Jones (Clebume)	Reeder
Baldwin	Goodwyn	Jordan (Washington)	Rivers
Bartlett	Grove	McAdory	Sanders (Conecuh)
Beebe	Gullatt	Matthews	Sanders (Pike)
Bryant	Guy	Miller (Marengo)	Sanderson
Burleson	Harwood	Miller (Sumter)	Starnes
Burns	Hawkins	Molette	Stephens
Cannon	Hightower	Monk	Stewart (Calhoun)
Cockrell	Hollis	Moxley	Tunstall
Cook	Hubbard	Mullen	Ward (Tuscaloosa)
Deloney	Hughes	Nipper	Ware
Denson			

—57

Nay:—Mr. Simpson—1.

S. 493. To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Was read a third time at length and passed.

Yeas, 67; Nays, 2.

Yeas:

Messrs:

Mr. Speaker	Frey	Luck	Rogers (Mobile)
Adcock	Golson	McAdory	Sanders (Conecuh)
Allen	Goode	Martin	Sanders (Pike)
Anderson	Goodwyn	Matthews	Sanderson
Baldwin	Grove	Merrill	Simpson
Bartlett	Guy	Miller (Marengo)	Smith
Beebe	Harwood	Miller (Sumter)	Stephens
Burns	Hightower	Molette	Stewart (Bibb)
Cannon	Hollis	Monk	Stewart (Calhoun)
Christian	Hubbard	Moxley	Tompkins
Cockrell	Hughes	Mullen	Tunstall
Cook	Jeter	Nipper	Vickers
Darden	Johnson	Parish	Waddell
Deloney	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Denson	Jones (Cleburne)	Quillin	Ware
Edwards	Jordan (Etowah)	Ringer	Webb
Fite	Jordan (Washington)	Rivers	

—67

Nays:—Messrs. Bryant and Reeder.—2.

S. 581. In relation to time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State.

Was read a third time at length and passed.

Yeas, 56; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Burns	Deloney	Goodwyn
Allen	Carter	Denson	Grove
Baldwin	Christian	Fite	Hampton
Beebe	Cockrell	Golson	Harwood
Brunson	Darden	Goode	Hawkins

Hubbard	Matthews	Ringer	Smith
Jeter	Merrill	Rivers	Stewart (Bibb)
Jones (Bullock)	Miller (Sumter)	Rogers (Elmore)	Stewart (Calhoun)
Jordan (Etowah)	Molette	Rogers (Mobile)	Tunstall
Lawler	Nipper	Sanders (Conecuh)	Vickers
Lee	Patterson	Sanders (Pike)	Waddell
Lovelace	Pitts	Sanderson	Ward (Geneva)
Luck	Poole	Shivers	Ward (Tuscaloosa)
Martin	Reeder	Simpson	Winn

S. 418. Relating to dependent, neglected or delinquent children in all counties of Alabama which have a population of as many as Two Hundred Thousand people according to the last Federal Census, or which shall have such population according to any such census that may be taken hereafter, and which counties now have, or which counties shall hereafter have a Juvenile and Domestic Relations Court; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the Juvenile and Domestic Relations Courts of such counties; to provide for their protection, guardianship, custody, care, supervision, discipline, and generally for their welfare; to confer upon such Juvenile and Domestic Relations Courts in such counties original and exclusive jurisdiction and authority to adjudicate and enforce all questions and matters arising under or provided for by the terms of this Act, and to confer upon such courts full power and authority to try and determine all such questions; or which may be otherwise referred to them by law, for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction, or to carry out the purpose and intent of this Act; to confer upon such courts authority to make rules and regulations, and to devise and have printed, such records and forms, where not otherwise provided for under the terms of this Act, as shall be found necessary or convenient to the exercise of its jurisdiction, or which shall be necessary or convenient for the conduct of the Detention Home or Parental School, or for the conduct of probation officers or their work as provided for in this Act; to create and provide for Advisory Boards to such courts, and to define their duties; to make it a misdemeanor by act, or omission, or otherwise to aid, abet, cause, connive at, or contribute to the dependency, neglect, or delinquency of such children, in such counties, or to conceal or otherwise interfere with the custody of such children, or to interfere with or obstruct probation officers in the discharge of their duties, and in certain contingencies for injunctions in such cases, and to provide for the trial and punishment of such offenders; to provide for investigations by probation officers, and the effect of their reports as evidence; to provide for the taking and enforcement of recognizances

when same are made by a minor with adults as sureties; to provide that all proceedings under the terms of this Act in dealing with the children described herein shall be in equity, and civil in their nature, and to regulate same; to provide for the trial of any delinquent child as defined by this Act, in a criminal court of competent jurisdiction when the court after investigation or trial is convinced that such child cannot be made to lead a correct life under the discipline provided for such delinquent under the terms of this Act; to provide that under certain contingencies male children between Sixteen and eighteen years of age shall be dealt with as delinquents; to provide for the establishment and maintenance of a Detention Home or Parental School, and for the appointment and compensation of probation officers, and for other expenses incident to the purposes of this Act; to provide for the appointment of referees, and to define their powers and duties; to declare when this Act shall take effect, that should any part of this Act be found to be unconstitutional that it shall not affect the remainder thereof, and to provide for the repeal of all laws inconsistent, or in conflict with this Act.

Was read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Grove	Monk	Starnes
Adcock	Gullatt	Morrow	Stephens
Allen	Guy	Moxley	Stewart (Bibb)
Beebe	Hawkins	Mullen	Stewart (Calhoun)
Brunson	Hightower	Nipper	Thompson
Bryant	Hollis	Norman	Tompkins
Burns	Hughes	Owens	Tunstall
Byars	Jeter	Parish	Vickers
Cannon	Jordan (Washington)	Pitts	Waddell
Carter	Lee	Poole	Wallace
Desear	Lovelace	Powell	Ward (Geneva)
Edmundson	Luck	Sanderson	Ward (Tuscaloosa)
Edwards	McAdory	Shepherd	Ware
Fite	Martin	Shivers	Webb
Frey	Matthews	Simpson	Weldon
Golson	Merrill	Smith	Winn
Goode			

—65

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

Was read a third time at length and passed.

Yeas, 58; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Deloney	Jones (Cleburne)	Quillin
Adcock	Denson	Jordan (Etowah)	Reeder
Allen	Edwards	Jordan (Washington)	Ringer
Anderson	Fite	Luck	Rivers
Baldwin	Golson	McAdory	Rogers (Mobile)
Bartlett	Goode	Martin	Sanders (Pike)
Beebe	Goodwyn	Merrill	Sanderson
Bryant	Grove	Miller (Sumter)	Smith
Burns	Guy	Molette	Stephens
Cannon	Hightower	Monk	Tompkins
Carter	Hollis	Moxley	Tunstall
Christian	Hubbard	Mullen	Waddell
Cockrell	Hughes	Parish	Ward (Tuscaloosa)
Cook	Jeter	Pegues	Ware
Darden	Johnson		

—58

S. 357. To amend Section 6779 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 56; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Edwards	Jones (Bullock)	Quillin
Adcock	Fite	Jones (Cleburne)	Rivers
Allen	Frey	Jordan (Washington)	Rogers (Mobile)
Anderson	Golson	Luck	Sanders (Pike)
Baldwin	Goode	Martin	Sanderson
Bryant	Goodwyn	Matthews	Simpson
Burns	Grove	Merrill	Stephens
Carter	Harwood	Molette	Tompkins
Christian	Hawkins	Monk	Tunstall
Cockrell	Hollis	Moxley	Vickers
Cook	Hubbard	Mullen	Waddell
Darden	Hughes	Nipper	Ward (Tuscaloosa)
Deloney	Jeter	Parish	Ware
Denson	Johnson	Pegues	Weldon

—56

Nay:—Mr. Smith—1.

S. 256. To repeal Sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

Was read a third time at length and passed.

Yeas, 59; Nays, 1.

Yeas:

Messrs.:

Mr. Speaker	Cannon	Denson	Gullatt
Adcock	Carter	Edwards	Harwood
Allen	Christian	Fite	Hightower
Baldwin	Cockrell	Golson	Hollis
Beebe	Cook	Goode	Howard
Bryant	Darden	Goodwyn	Hubbard
Burns	Deloney	Grove	Hughes

Jeter	Martin	Pegues	Tompkins
Johnson	Matthews	Reeder	Tunstall
Jones (Bullock)	Miller (Marengo)	Ringer	Waddell
Jones (Cleburne)	Miller (Sumter)	Rogers (Mobile)	Ward (Tuscaloosa)
Jordan (Etowah)	Molette	Sanders (Pike)	Ware
Jordan (Washington)	Monk	Sanderson	Weldon
Luck	Mullen	Simpson	Winn
McAdory	Nipper	Stephens	

—59

Nay:—Mr. Quillin—1.

S. 430. To amend Section 1106, Code of Ala. 1922, relative to venereal disease control.

Was read a third time at length and passed.

Yeas, 59; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Fite	Luck	Ringer
Adcock	Frey	Martin	Rivers
Allen	Golson	Matthews	Rogers (Mobile)
Anderson	Goode	Merrill	Sanders (Pike)
Baldwin	Goodwyn	Miller (Marengo)	Simpson
Bartlett	Grove	Miller (Sumter)	Starnes
Beebe	Harwood	Molette	Stephens
Bryant	Hightower	Monk	Stewart (Calhoun)
Cannon	Hollis	Moxley	Tompkins
Carter	Hubbard	Mullen	Tunstall
Christian	Hughes	Nipper	Vickers
Cockrell	Jeter	Parish	Waddell
Darden	Jones (Bullock)	Pegues	Ward (Tuscaloosa)
Deloney	Jones (Cleburne)	Quillir	Ware
Denson	Jordan (Etowah)	Reeder	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the resolutions:

H. J. R. 330. Relative to extending thanks of the Legislature to Mrs. Marie Bankhead Owen for the gift to each member of the Legislature of a volume entitled "Our State—Alabama".

Also:

H. J. R. 331. Relative to welcoming Col. Lindberg to Alabama on his visit to Birmingham on October 5th, next.

And returns same herewith to the House.

J. E. Speight,
Secretary.

RECESS

On motion of Mr. Goode the House recessed until 8:30 o'clock tonight.

NIGHT SESSION

The hour of 8:30 o'clock P. M. having arrived the House reconvened.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 33. To authorize the loan of money at six (6%) per cent per annum or less and to regulate such transactions; to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

Also:

H. 480. To amend Sections 10293 of the Code of Alabama, 1923.

Also:

H. 210. To authorize all cities and towns within the State of Alabama to fix and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof.

Also:

H. 1171. To require in all counties in this State having according to the last or any subsequent census 200,000 inhabitants or more, State and county officers and other persons whose salaries, expenses or other claims are now payable upon warrants drawn upon the county treasurer by such officers, to be itemized, sworn to and presented to the board of revenue or other governing body of such counties, for audit and allowance.

Also:

H. 1124. In relation to the expenditure of the proceeds of a State Bond Issue of not exceeding twenty million (\$20,000,000.00) dollars for the construction and improvement of permanent public school buildings and other educational buildings in Alabama; to provide for the expenditure of the proceeds of such part of a State bond issue allocated to the several counties of the State for the construction and improvement of permanent public school buildings; to provide for the apportionment and expenditure of the proceeds of such part of a State bond issue allocated to the institutions of higher learning, including the normal schools; to authorize a State-wide school building survey, and to make an appropriation therefor.

Also:

H. 1037. To fix the compensation of circuit clerks of all counties of the State of Alabama having a population of more than 250,000 according to the last or any subsequent Federal census.

H. 724. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama fixing the salaries and compensation and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the cost, charges, and fees and salaries of such officers, including the method and basis of their compensation, and calling and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama for their consideration, as hereafter set forth, viz:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, \$5,000.00 per year, net; allowance of \$7,500.00 per annum for office expenses as follows: one clerk, at \$2,100.00 per annum; two clerks at \$1,500.00 per annum, each; and \$2,400.00 per annum for all other expenses including extra clerks. The said \$2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of \$4,000 per year, net; allowance of \$2,100.00 per year for a chief clerk in said office; \$1,200.00 for an assistant clerk in said office, and \$700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of \$4,000.00 per year, net; allowance of \$1,500.00 per year for his clerk in said office and \$1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of \$3,600.00 per year, net; allowance of \$1,800.00 per year for chief clerk in said office and \$1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of \$2,400.00 per year, net. The County Treasurer of said county shall receive a

salary of \$2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county."

Section 2. It is hereby ordered by the Legislature that an election by the qualified voters of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

Also:

H. 972. To make appropriations for the ordinary expenses of the executive and judicial departments of the State and for interest on the public debt.

Also:

H. 1128. To amend an Act entitled an Act to establish an Inferior Court of Autauga County, Alabama, in lieu of all justices of the peace and notary public ex-officio justices of the peace in Prattville Precinct, or Precinct No. 1, of Autauga County, Alabama; to define the jurisdiction and powers of said court and the judges and other officers thereof, to provide a place for holding said court, for the terms, salaries and compensation for the judge and other officers of said court, and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof.

Also:

H. 971. To provide for the election of a county superintendent of education for Morgan County, Alabama, by the qualified electors thereof, to prescribe the duties and fix the term, compensation and qualifications of such officer.

H. 1155. To better provide for the pay of salaried deputy sheriffs of Walker County out of the fine and forfeiture fund of said county, and to prescribe the method for paying same and the duties of said deputies.

Also:

H. 1088. To require all warrants, bonds, and commitments, where defendants are held or bound over to await the action of the Grand Jury in Walker County, Alabama, to be returned to and filed with the clerk of the Circuit Court of Walker County, Alabama, to be kept and filed and furnished to the Solicitor or foreman of the Grand Jury on demand, and providing that said Clerk shall make a record of such papers, and further providing that the clerk of the Circuit Court of Walker County, as Ex-Officio Clerk of the County Court of Walker County shall also make a record of all bonds, commitments and warrants in all cases hereafter filed in said County Court and providing that such records or certified copies of same shall have the same legal effect as the originals when the original or any part of same is lost, and providing that the cost for making such record shall be taxed and paid as other cost in criminal cases is taxed and paid.

Also:

H. 943. To amend Schedule 11-A of Section 361 of an Act entitled, "An Act to provide for the general revenue of the State of Alabama" approved Sept. 15th, 1919.

Also:

H. 832. To amend Section 6766 of the Code of 1923.

Also:

H. 806. To provide for the commitment of veterans of any war, military occupation or expedition, who are of unsound mind,

to a United States Veterans' Bureau hospital for restraint, care and treatment.

Also: To appropriate the sum of \$1200.00 for the relief of Clifton E. Clements.

Also: To amend Section 9604 of the Code of Alabama of 1923.

Also: To regulate the feeding of prisoners in county jails, and to provide the manner of payment for the feeding of such prisoners, by amending sections 3, 4, 5, 8, and 9 of an Act entitled "An Act to regulate the feeding of prisoners in county jails; to provide the manner and method of payment therefor" approved September 29th, 1923, and to amend section 4859 of the Code of Alabama of 1923.

And find same correctly enrolled.

R. B. Harwood,

Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker: The Senate has originated and adopted the following Resolutions and sends same herewith to the House.

S. J. R. 108. Be it resolved by the Senate, the House concurring, that the thanks of the members of the Legislature of Alabama be extended to the Southern Bell Telephone & Telegraph Co., and to its officers and employees for the prompt, efficient and courteous telephone service, both local and long distance, rendered to the members of the Legislature during this session of the legislature.

S. J. R. 109. Whereas, The Senate of Alabama has just been informed of the serious illness of Dr. Eugene A. Smith, State Geologist;

And Whereas, We recognize the great and useful life of Dr. Smith to the State;

Therefore, be it Resolved by the Senate of Alabama, The House concurring: That we extend to Dr. Smith, and his beloved

family our sincere sympathy in this sad hour of sorrow and affliction, and commend to them the Great Healer of all human woes, that he may be speedily restored to health and strength.

Be it Further Resolved, That these resolutions be spread on the Journal of the Senate, and that a copy be sent to the family of Dr. Smith.

J. E. Speight,
Secretary.

SENATE MESSAGE

The S. J. R. 108 and the S. J. R. 109 set out in the above Message from the Senate were read and adopted by the rising vote of the House.

MESSAGE FROM THE GOVERNOR

EXECUTIVE MESSAGE

To the Legislature of Alabama,
Gentlemen:

I return herewith to the House of Representatives, the body in which it originated, House Bill Number 748 without my approval.

The reasons for my disapproval are, first, that it creates an additional office; second, the salaries provided therein are out of line with the recommendations of the Budget Commission after their careful consideration, and are greater than deemed advisable to be paid for the work required.

Respectfully,
Bibb Graves,
Governor.

August 30, 1927.

The question was shall the bill the veto of the Governor to the contrary notwithstanding.

The House refused to pass said Bill H. 748 over the veto of the Governor.

Yeas, 4; Nays, 60.

Yeas:

Messrs.:

Martin	Simpson	Smith	Waddell
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—4

Nays:

Messrs.:

Mr. Speaker	Cook	Hightower	Miller (Marengo)
Allen	Darden	Hollis	Miller (Sumter)
Anderson	Deloney	Howard	Molette
Baldwin	Denson	Hubbard	Monk
Bartlett	Edwards	Hughes	Moxley
Beebe	Fite	Johnson	Mulien
Brunson	Frey	Jones (Bullock)	Nipper
Bryant	Goode	Jones (Cleburne)	Parish
Burns	Green	Jordan (Washington)	Pegues
Cannon	Gullatt	Lee	Quillin
Carter	Hampton	McAdory	Rankin

Reeder	Rogers (Mobile)	Starnes	Tompkins
Ringer	Sanders (Conecuh)	Stephens	Vickers
Rivers	Sanders (Pike)	Stewart (Bibb)	Ward (Tuscaloosa)
Rogers (Elmore)	Sanderson	Stewart (Calhoun)	Ware

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MESSAGE FROM THE SENATE

Mr. Speaker :

The Senate has concurred in the House amendment to the following Senate Bills :

S. 500. A Bill to be entitled an Act to create the Twenty-fourth Judicial Circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of a Judge, Solicitor, Clerk, and the appointment of a Register in Chancery and other officers thereof; to provide for Grand Juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer Division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer Division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama, and to otherwise provide therefor.

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethlehem Precinct No. 7, Meek's Precinct No. 24, Toadvine Preinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Preinct No. 53, and Brighton Precinct No. 55, To define the jurisdiction thereof, to provide for organizing and empaneling Grand Juries therefor, and define the jurisdiction of said Grand Juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to repeal of Section 9 $\frac{1}{2}$ of said Act.

S. 453. To make an appropriation for buildings and equipment for the Kate Duncan Smith, D. A. R. School located at Grant, Alabama.

S. 410. To provide a code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvements; and amend-

ing sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2236, 2237 of the Code of Alabama of 1923; and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235 of said Code; and to repeal all laws in conflict with the same.

S. 110. To amend Sections 1754, 1757, 1760 and 1894 of the Code of Alabama of 1923.

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

S. 260. To amend Sections 1051, 1058, 1059, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146 of Chapter 31 of Article 1 of the Code of Alabama, of 1923, all relating to the public health of Alabama.

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House Amendment to the following Senate Bill:

S. 259. To amend Section 2 of the Code of 1923.

J. E. Speight,
Secretary.

MESSAGE FROM THE GOVERNOR

To The Legislature of Alabama,
Gentlemen:

I am returning to the House of Representatives, the body in which it originated, House Bill 783 without my approval. I suggest the following amendments, which if concurred in will remove my objections to the bill.

Amend Section 2 by striking from the Section the word Five Hundred Dollars (\$500.00) and inserting in lieu thereof the words "Three Hundred Dollars (\$300.00).

Amend Section 5 by striking therefrom the words Five Hundred Dollars (\$500.00) where they occur together in said section and substitute therefor the words Three Hundred Dollars (\$300.00).

Respectfully,
Bibb Graves,
Governor.

September 2, 1927.

On motion of Mr. Simpson the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 783. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 68; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Denson	Jones (Cleburne)	Rogers (Elmore)
Adcock	Edwards	Jordan (Etowah)	Rogers (Mobile)
Allen	Fite	Jordan (Washington)	Sanders (Pike)
Anderson	Frey	Lee	Sanderson
Baldwin	Golson	McAdory	Shivers
Bartlett	Goode	Martin	Simpson
Beebe	Goodwyn	Matthews	Smith
Bryant	Grove	Miller (Marengo)	Stephens
Burns	Hawkins	Molette	Stewart (Calhoun)
Byars	Hightower	Moxley	Thompson
Cannon	Hollis	Nipper	Tompkins
Carter	Howard	Parish	Tunstall
Christian	Hubbard	Pitts	Waddell
Cockrell	Hughes	Quillin	Ward (Tuscaloosa)
Cook	Jeter	Reeder	Ware
Darden	Johnson	Ringer	Webb
Deloney	Jones (Bullock)	Rivers	Weldon

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Which was a majority of the whole number elected to the House.

And said Bill:

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to prescribe its jurisdiction and procedure; to provide for its judge, clerks and other officers their appointment, duties, compensation and to fix their term of office; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeals to the Circuit Court.

As amended by the amendment proposed by the Governor was read a third time at length and passed.

Yeas, 68; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Byars	Edwards	Hollis
Adcock	Cannon	Fite	Howard
Allen	Carter	Frey	Hubbard
Anderson	Christian	Golson	Hughes
Baldwin	Cockrell	Goode	Jeter
Bartlett	Cook	Goodwyn	Johnson
Beebe	Darden	Grove	Jones (Bullock)
Burleson	Deloney	Hawkins	Jones (Cleburne)
Burns	Denson	Hightower	Jordan (Etowah)

Jordan (Washington)	Nipper	Rogers (Mobile)	Thompson
Lee	Parish	Sanders (Pike)	Tompkins
McAdory	Pitts	Sanderson	Tunstall
Martin	Quillin	Shivers	Waddell
Matthews	Reeder	Simpson	Ward (Tuscaloosa)
Miller (Marengo)	Ringer	Smith	Ware
Molette	Rivers	Stephens	Webb
Moxley	Rogers (Elmore)	Stewart (Calhoun)	Weldon

—68

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

I am returning herewith to the House of Representatives, body in which it originated, House Bill 586, without my approval. I suggest the following executive amendment, which if concurred in will render the bill free from objections

Amend Section 9 of the Bill by adding after the figures \$5.00 in the last line thereof the following: "The said sum shall be paid into the State Treasury".

Further Amend the Bill by striking from Section 14 the words "Judge of Probate of the county in which the corporation was organized" where they occur together therein and substitute therefor the words "Secretary of State as Corporation Commissioner Ex-Officio". Further amend Section 14 by striking therefrom all the words beginning with the words "Provided that where" to the end of said Section.

Respectfully,
Bibb Graves,
Governor.

September 2, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Cockrell the House concurred in and adopted the amendment proposed by the Governor to the Bill H. 586. Said amendment as proposed by the Governor being set out in the above and foregoing Message from the Governor.

Yeas, 65; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Carter	Goodwyn	Jones (Bullock)
Adcock	Christian	Graves	Jordan (Etowah)
Allen	Cockrell	Grove	Jordan (Washington)
Anderson	Cook	Harwood	McAdory
Baldwin	Darden	Hightower	Martin
Bartlett	Deloney	Hollis	Matthews
Beebe	Denson	Howard	Miller (Marengo)
Bryant	Edwards	Hubbard	Miller (Sumter)
Burleson	Fite	Hughes	Molette
Burns	Golson	Jeter	Moxley
Cannon	Goode	Johnson	Mullen

Parish	Rogers (Elmore)	Simpson	Tunstall
Pitts	Rogers (Mobile)	Smith	Ward (Tuscaloosa)
Quillin	Sanders (Pike)	Stewart (Calhoun)	Ware
Reeder	Sanderson	Thompson	Webb
Ringer	Shepherd	Tompkins	Winn
Rivers			

—65

Which was a majority of the whole number elected to the House and said Bill:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6996, 7003, 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215, of the Code of 1923. To repeal Sections 6975, 6977 and 7219 of the Code of 1923. To authorize the Secretary of State as Corporation Commissioner ex-officio to employ clerical assistance to enable him to perform the duties required of him under the provisions of this act; providing that one of such assistants shall be by the Secretary of State as Corporation Commissioner ex-officio designated as Corporation Commissioner; fixing his term of office; prescribing his duties and fixing the salaries or compensation of such assistants and making an appropriation therefor.

As amended by the amendment proposed by the Governor. was again read a third time at length and passed.

Yeas, 65; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Denson	Jones (Bullock)	Rivers
Adcock	Edwards	Jordan (Etowah)	Rogers (Elmore)
Allen	Fite	Jordan (Washington)	Rogers (Mobile)
Anderson	Golson	McAdory	Sanders (Pike)
Baldwin	Goode	Martin	Sanderson
Bartlett	Goodwyn	Matthews	Shepherd
Beebe	Graves	Miller (Marengo)	Simpson
Bryant	Grove	Miller (Sumter)	Smith
Burleson	Harwood	Molette	Stewart (Calhoun)
Burns	Hightower	Moxley	Thompson
Cannon	Hollis	Mullen	Tompkins
Carter	Howard	Parish	Tunstall
Christian	Hubbard	Pitts	Ward (Tuscaloosa)
Cockrell	Hughes	Quillin	Ware
Cook	Jeter	Reeder	Webb
Darden	Johnson	Ringer	Winn
Deloney			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bills and returns same herewith to the House:

H. 34. To make appropriations to the Alabama Boys Industrial School.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the Bill H. 34. Said Senate amendment being as follows:

Amend House Bill No. 34 by adding thereto Section 3 1-2, in words and figures as follows:

Section 3 1-2. In addition to the appropriations hereinabove made, there is hereby further appropriated, out of any moneys in the general fund of the State of Alabama not already otherwise appropriated, the sum of Eleven Thousand Two Hundred Thirteen Dollars and Four cents (\$11,213.04) for the relief of the Alabama Boys' Industrial School. Be it Further Enacted: That the State Treasurer is hereby authorized and directed to pay to the Superintendent of said School the amount in this Section appropriated.

Amendment to amend House Bill Number 34, Section 1 by striking out the words "Three Hundred and Sixty Dollars" and inserting in lieu thereof the words "Two Hundred and Seventy Dollars."

Yeas, 61; Nays, 0.

Yeas:

Messrs:

Mr. Speaker	Edwards	Jones (Bullock)	Quillin
Adcock	Fite	Jones (Cleburne)	Ringer
Allen	Frey	Jordan (Etowah)	Rogers (Elmore)
Anderson	Golson	Jordan (Washington)	Rogers (Mobile)
Baldwin	Goode	McAdory	Sanderson
Bartlett	Goodwyn	Martin	Simpson
Beebe	Grove	Matthews	Smith
Bryant	Hawkins	Miller (Marengo)	Stephens
Burns	Hightower	Miller (Sumter)	Vickers
Byars	Hollis	Moxley	Waddell
Carter	Howard	Nipper	Ward (Tuscaloosa)
Christian	Hubbard	Parish	Ware
Cockrell	Hughes	Pegues	Webb
Cook	Jeter	Pitts	Weldon
Deloney	Johnson	Powell	Winn
Denson			

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills and House Joint Resolutions:

H. 683. To make appropriation to be used by the State Board of Education to aid in the erection, repair and equipment of rural school houses which were destroyed or seriously damaged prior to June 25th, 1927, by fire and where the State Board of Education finds that an emergency is such as defined in this Act exists.

Also:

H. 1159. To permit the Board of Revenue, or like body, in counties having a population of not less than fifty two thousand and not more than fifty four thousand to give to the Chamber of Commerce, or like body, in any city or town in said county, any sum of money, up to one hundred dollars per month, to be paid monthly.

Also:

H. 195. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of one thousand (\$1,000.00) dollars for the relief of the widow and child of Z. B. Talley, deceased, the said widow being named Mollie Talley, and the said child being the child of Z. B. Talley, deceased, and said Mollie Talley.

Also:

H. J. R. 331. To welcome Col. Chas. A. Lindbergh to the State of Alabama to aid in the development of air ports and facilities in this State to meet the coming need.

Also:

H. J. R. 330. Thanking Mrs. Marie Bankhead Owen, for the gift to each member, of a beautifully illustrated volume, entitled "Our State—Alabama", also congratulating Judge W. C. Christian of the House and Senator J. B. Stanley of the Senate, on the fact that this invaluable work is dedicated in their honor.

Also:

H. 580. To abolish the Commissioners Court of Walker County, and to establish in lieu thereof a Board of Revenue of Walker County, and to provide that the present County Commissioners shall constitute the members of the Board of Revenue, to prescribe their duties, their powers and fix their compensation.

And find same correctly enrolled.

R. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk,

the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, and House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills and S. J. R. your signature thereto is requested:

S. 114. To provide for organization, operation and supervision of co-operative savings and credit associations to be termed "Credit Unions", and to define their powers.

S. 326. To amend Section 8832 of the Code of Alabama.

S. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

S. 590. To admit to the Soldier's Home at Mountain Creek certain indigent female relatives of Confederate Veterans.

S. 356. To establish an inferior court in precinct 42, in Jefferson County, Alabama, to be called the Inferior Court of North Birmingham, in lieu of all justices of the peace in said precinct and in lieu of all notaries public with powers of justices of the peace and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory or any part thereof, to define the jurisdiction and powers of said court, clerk and other officers thereof. To provide for a place of holding said court, the terms and salaries of the officers of said court, the manner of their appointment and election and the payment of their salaries and that said court shall be a court of record. Said court shall be a branch of the Third Division Municipal Court of Birmingham, Ala.

S. J. R. 106. Relative to the extra time allowed the Secretary of the Senate and the Clerk of the House within which to check, compare and deliver to the Secretary of State the Journals of the Senate and House, Session of 1927.

S. 445. To create and establish a Board of Revenue in and for Pike County, Alabama, in the place and stead of the Court of County Commissioners of Pike County now existing in said county, and abolishing said court of county commissioners of said county; to divide said county of Pike into Board of Revenue Districts for the election of members of said Board of Revenue, prescribing their qualifications; defining the jurisdiction of said Board of Revenue, and fixing the compensation of its members; and conferring on said Board of Revenue all the jurisdiction, powers and authority now granted or that may be hereafter

granted by law to courts of county commissioners, boards of revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, fixing their term of office, and providing for the election of their successors.

S. 133. To appropriate the sum of Three Thousand (\$3,000.00) Dollars, to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed while in line of duty as an employee of the State, on December 21, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

S. 204. To prohibit the transportation of any of the liquors or beverages, the sale or possession, or transportation of which is now prohibited by law in Alabama, in quantities of five gallons or more, and to fix a penalty therefor.

S. 238. To amend Section 7327 of the Code of Alabama, 1923.

S. 453. To make an appropriation for the buildings and equipment for the Kate Duncan Smith, D. A. R. School located at Grant, Alabama.

S. 110. To amend Sections 1754, 1757, 1760, and 1894, of the Code of Alabama.

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

S. 290. To amend Section 7203 of the Code of Alabama of 1923.

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

S. 70. To amend sections 10327, 10328 and 10329 of the Code of 1923.

S. 501. To amend an Act entitled "An Act to better provide for holding the Circuit Court of the Tenth Judicial Circuit at Bessemer, in and for the following portions of Jefferson County, to-wit: Williams Precinct No. 1, Jonesboro Precinct No. 2, Parsons Precinct No. 3, Aaron's Precinct No. 4, Short Creek Precinct No. 5, Bethelam Precinct No. 7, Meek's Precinct No. 24, Toadvine Precinct No. 27, Bessemer Precinct No. 33, Gwin's Precinct No. 35, Huey's Precinct No. 40, Parkwood Precinct No. 41, Mulga Precinct No. 49, Virginia Mines Precinct No. 51, Fairfield Precinct No. 53, and Brighton Precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empaneling Grand Juries therefor, and define the jurisdiction of said Grand Juries, to regulate the holding of said court at said place, and otherwise provide therefor," approved August 18, 1919, said amendment operating to repeal Section 9 1-2 of said Act.

S. 253. To amend Chapter 34 of the Code of Alabama, 1923, by providing for the admission to the Bryce Hospital for the insane, and to the Searcy Hospital for the insane, persons addicted to the use of alcohol, opium, cocaine, their derivations or compounds, and other narcotic drugs, or veronal, and to provide for their detention, treatment and discharge therefrom.

S. 487. To authorize the State Board of Education to prepare and maintain a register of those blind persons living in the State of Alabama in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing home industries; to aid in furnishing books, materials, and tools for rehabilitation of the blind; to devise other means of helping them; to provide for an annual report on the activities of the State Board of Education in connection therewith; and to make an appropriation for carrying out the provisions of the Act.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, and Senate Joint Resolution the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Gentlemen:

In this hour, which marks the close of your legislative efforts, I would be recreant to the duty I owe a great people of a great State, if I did not convey to you their appreciation of your work in legislation in their behalf and join with them in their plaudits—"Well done faithful ones, you were true to the trust reposed."

You have written history, memorable for its accomplishments in the welfare, progress, development and harmony of a great State.

In giving to each child of the State an equal opportunity in education you have equalized the burdens of taxation, and initiated the thought of striking down discrimination in class legislation, eliminating dissension among the various groups of interest of the State, and harmonizing the whole into a unit that will develop a carrying on effort that will crystallize and break in the glory and peace and good will of a people and terminate in social, educational, agricultural and industrial developments unsurpassed, as an achievement realized in the years of administration of your legislation.

The State pauses as it renders homage unto you for the opportunity of the enlightenment of its people.

You have provided funds for unifying all branches of our educational system and the results for good are inevitable and immeasurable.

You have placed great responsibilities upon the Governing Board of Education in the distribution of these funds. Your spirit should be an inspiration in assuring absolute harmony and cooperation among the members of said Boards in the equitable distribution of said funds.

The brightest pages of Alabama History will be the educational progress of your administration, the people's administration for the years 1927 to 1931, inclusive.

A standard never to be lowered, but to be improved—an essential landmark of progress in every sense of the word.

In solving the convict question which has perplexed the State for a generation, you have by your patriotic sacrifice in leaving your homes and businesses, and fidelity to duty given expression to the great and beneficent humanitarian thought, graced in the glories of a God, and the unfortunate, either through heredity, environment or training, are now living under the healing powers of nature's wonderful sunshine and breathing the air's pure oxygen, life's living substance, building roads and inaugurating a system of transportation near perfect and satisfactory.

Under the efficient and business administration of the Highway Department and Board of Administration it is now a reality, with only time before you for its complete fulfillment.

Convicts on roads and farms, the realization of the humanitarian thought and the proper usefulness of the unfortunate, building lasting monuments in highways and supplying sustenance for life.

You were also awake to your duty to the constituency of your State in guaranteeing a sound body for sound morals, sound brains and sound souls. The funds provided for are in safe and efficient hands for health improvements, and greater honors await the Health Department of your State, so useful to its people.

That touch of child welfare that found partial expression in past legislation received at your hands the consideration deserved, and under the tender administration of our excellent child welfare department, child value will not be lost to the State.

Agricultural thought for the progress and development of the agricultural interest is thoroughly provided for in your legislation. That no additional burdens of taxation are placed upon the farmer is highly significant and very gratifying. In you the man of the soil and hoe has had a true friend.

As a duty from loyal sons and as a tribute to the living and dead that made memorable the days of heroism, bravery and sacrifice, the days that perpetuated as an everlasting monument in our National life "State rights and local self government", you have guaranteed unto the Confederate soldiers and their widows comfort, ease and peace in their few remaining years through your most liberal appropriation. Sacred in their lives will be your gracious and deserved act; and "When the silver chord of their lives is loosed and the golden bowl is broken", you will hear their joyous cry—may the angels of peace ever bless you.

In fact, every Department of Government has been brought nearer the people and it is a "Government for the People", due to your patience, efforts, and patriotic sacrifices and notwithstanding the campaign of misrepresentation, and vilification that has been launched against you and the administration of which you are a part and the State you have served, by some of the daily papers, calculated to cause you to swerve from the path of duty.

The Lord Chief Justice of England on yesterday warned the American Bar Association that newspapers that misrepresent are more dangerous to our free institutions than the communist or treacherous communistic prop-

agenda. This eminent Jurist and Statesman sounded the warning before America's most representative body of the legal profession, that the greatest and most irresistible blows at our free institutions, come not from beyond our boundaries, but from within, by a press that is willing to abuse its privilege by misrepresentation for the accomplishment of ulterior objects. This forcible pronouncement was featured on the front page of some of the local papers today.

The servants of the people can stand misrepresentation and villification with some degree of patience, as their lives are a continuous refutation of the multitudinous misrepresentations relating to them. They can point to the fact that the opposition of those papers arose from political disappointment. The State, its counties and municipalities, however, are in a different category. They cannot speak, save through the representatives of the people.

No state is more law abiding, no people more liberty loving, no officials are more zealous and faithful, and no people more contented than those within the boundaries of this commonwealth. The record of accomplishments of this Legislature has demonstrated to the world that Alabama has shaken off the shackles of newspaper domination and severed relations with the professional lobbyist, and in a spirit of fairness and justice to all, has taken her place among the free people of the earth. The continued and continuous effort of these publishers to besmirch the name of the State that protects them, the names of its counties that offer them advantages, and to misrepresent our citizenship, who support them is unheard of in ethical journalism.

The freedom of the press is to be protected and respected, but an abuse of that privilege can merit naught but condemnation at the bar of public opinion.

These matters are called to your attention that the records of our State may contain permanent evidence that will refute the idea and impression these publishers have sought to create regarding you and the administration of which you are a part, and the State which you have so nobly served.

May I convey to you my sincere appreciation and assure you of my supreme happiness in the realization that pre-election promises have been fulfilled, and that the unrepresented class at home has found in your legislation a perfect representation and that you have been truly the servants of a great people.

Respectfully,
Bibb Graves,
Governor.

On motion of Mr. Miller of Sumter 500 copies of the Governor's Message were ordered printed for the use of the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor to the bill:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6986, 7003 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182,

7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215 of the Code of 1923.

To repeal Sections 6975, 6977, and 7219 of the Code of 1923. To authorize the Secretary of State as Corporation Commissioner ex-officio to employ clerical assistants to enable him to perform the duties required of him under the provisions of this Act; providing that one of such assistants shall be by the Secretary of State as Corporation Commissioner ex-officio designated as Corporation Commissioner; fixing his term of office; prescribing his duties and fixing the salaries or compensation of such assistants and making an appropriation therefor."

By a vote of a majority of the whole number elected to the Senate, said vote being yeas, 25; nays, 0.

And said bill, H. 586, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being Yeas, 23; Nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to prescribe its jurisdiction and procedure; to provide for its judge, clerks and other officers, their appointment, duties, compensation and to fix their term of office; to provide for the transfer of causes to the Circuit Court when jury trials are demanded; to provide for appeals to the Circuit Court.

By a vote of a majority of the whole number elected to the Senate; said vote being yeas, 24; nays, 0.

And said bill, H. 783, as thus amended by the amendment of His Excellency, the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the Senate; said vote being yeas, 24; nays, 0.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 589. To divide Coffee County, Ala., into Four Commissioners' Districts; to provide for the election of County Commis-

sioners for said county from each of such Districts by the qualified electors of said Districts; to provide elections at which the County Commissioners for said Commissioners Districts shall be elected, and to provide for and fix their term of office; to prescribe their duties and compensation.

S. 493. To provide for the propounding and prosecution of a claim by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the State of Alabama.

S. 580. To provide for the appointment of bailiffs in all circuit courts in all counties of the State of Alabama having a population of 200,000, or more, according to the last or any subsequent federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

S. 219. To amend Section 4622 of the Code of Alabama, 1923.

S. 430. To amend Section 1106, Code of Ala. 1923, relative to venereal disease control.

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

S. 581. In relation to time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State.

S. 259. To amend Section 2 of the Code of 1923.

S. 256. To repeal Sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON ENROLLED BILLS

Mr. Speaker:

Your Standing Committee on Enrolled Bills reports that it has examined the following House Bills:

H. 34. To make appropriations to the Alabama Boys Industrial School.

Also:

H. 586. To amend Sections 6965, 6967, 6968, 6969, 6970, 6971, 6972, 6973, 6974, 6976, 6978, 6979, 6981, 6982, 6983, 6984, 6996, 7003, 7005, 7006, 7009, 7012, 7015, 7032, 7033, 7038, 7039, 7045, 7046, 7047, 7050, 7051, 7056, 7057, 7059, 7063, 7064, 7065, 7066, 7071, 7073, 7074, 7075, 7083, 7085, 7093, 7113, 7114, 7116, 7117, 7118, 7119, 7145, 7154, 7157, 7158, 7163, 7164, 7168, 7178, 7182, 7183, 7186, 7188, 7189, 7190, 7191, 7209, 7210, 7214, 7215, of the Code of 1923. To repeal Sections 6975, 6977 and 7219 of the Code of 1923. To authorize the Secretary of State as Corporation Commissioner ex-officio to employ clerical assistance to enable him to perform the duties required of him under the provisions of this act; providing that one of such assistants shall be by the Secretary of State as Corporation Commissioner ex-officio designated as Corporation Commissioner; fixing his term of office; prescribing his duties and fixing the salaries or compensation of such assistants and making an appropriation therefor.

Also:

H. 783. To establish an inferior statutory court to be called the Birmingham Court of Common Pleas; to prescribe its jurisdiction and procedure; to provide for its judge, clerks and other officers; their appointment, duties and compensation and to fix their term of office; to provide for the transfer of causes to the circuit court when jury trials are demanded; to provide for appeal to the Circuit court.

And find same correctly enrolled.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTION

The following resolution was introduced :

By Mr. Fite:

H. R. 332. Whereas, John Quincy Adams served the Alabama House of Representatives faithfully since the constitutional convention of 1901, starting as a page and continuing his service until he advanced to the office of assistant clerk of the House, which he held for many years, and

Whereas, John Quincy Adams had a large part in the work of the Legislature for many years and was a valued friend and and co-worker of many persons who are members of the present Legislature and

Whereas, there is sadness among those who served in former legislatures because the face of John Q. Adams has not been seen in the halls of the house during the present session and

Whereas, John Q. Adams has passed from among mortals after a career against which no black mark can be placed; therefore, be it

Resolved, By the House of Representatives, that we regret the passing of this faithful servant of the people of Alabama and direct that a page of the Journal of the House of Representatives be set aside in recognition of his work and that a copy of this resolution be delivered by the clerk of the House to the family of Mr. Adams.

On motion of Mr. Fite the rules were suspended and the resolution was adopted by the unanimous rising vote of the House.

Dedicated to

THE MEMORY OF

John Quincy Adams

FOR

MANY YEARS

THE

ASSISTANT CLERK

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 110. Be it Resolved by the Senate, the House concurring, that a Joint Committee, consisting of two from the Senate, to be appointed by the Presiding Officer of the Senate, and two from the House, to be appointed by the Speaker of the House, be created to notify the Governor that the Legislature has completed its work and now awaits any communications he may desire to submit to it.

And the President of the Senate has appointed as Committee on part of the Senate, Messrs. Brown and Teasley.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE

On motion of Mr. Goode the S. J. R. 110 was concurred in and adopted by the House.

The Speaker named as the Committee on part of the House Messrs. Goode and Guy:

MESSAGE FROM THE SENATE

Mr. Speaker:

The President of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 500. To create the twenty-fourth judicial circuit of the State of Alabama, to define the jurisdiction thereof, to provide for the election of a judge, solicitor, clerk and the appointment of a register in chancery, and other officers thereof; to provide for grand juries therefor; to provide for the consolidation therewith, and transfer thereto, of all cases and matters pending in the Bessemer division of the Tenth Judicial Circuit of Alabama; to provide for the detachment of the said Bessemer division of the Tenth Judicial Circuit of Alabama, and the territory herein defined from the Tenth Judicial Circuit of Alabama, and the consolidation of such detachment with the said Twenty-fourth Judicial Circuit of Alabama, and to otherwise provide therefor.

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

S. 357. To amend Section 6779 of the Code of Alabama.

S. 514. To provide for the training of mentally retarded chil-

dren of school age in towns of 6000 or more population according to the last or any subsequent Federal census.

S. 260. To amend Sections 1051, 1058, 1059, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

S. 363. To amend Sections 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 358 and 359, Code of Alabama 1923, and to repeal Section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing Chapter 18, Volume 1, of said Code.

S. 410. To provide a code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefitted or increased in value by reason of such improvements; and amending sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2223, 2224, 2225, 2236, 2237 of the Code of Alabama of 1923; and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, of said code and to repeal all laws in conflict with the same.

S. 413. To fix certain duties upon the State Commission of Forestry with reference to lands to which the State of Alabama holds the legal title for itself, or as Trustee, and State Parks, and lands belonging to any institution or department of the State, or to any Townships thereof, or to the inhabitants of any such Township.

S. 418. Relating to dependent, neglected or delinquent children in all counties of Alabama which have a population of as many as Two hundred thousand people according to the last Federal Census, or which shall have such population according to any such census that may be taken hereafter, and which counties, now have, or which counties shall hereafter have a Juvenile and Domestic Relations Court; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the Juvenile and Domestic Relations Courts of such counties; to provide for their protection, guardianship, custody, care, supervision, discipline, and generally for their welfare; to confer upon such Juvenile and Domestic Relations Courts in such counties original and exclusive jurisdiction and authority to adjudicate and enforce all questions and matters arising under or provided for by the terms of this Act, and to confer upon such

courts full power and authority to try and determine all such questions; or which may be otherwise referred to them by law, for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to confer upon such courts authority to make rules and regulations, and to devise and have printed, such records and forms, where not otherwise provided for under the terms of this Act, as shall be found necessary or convenient to the exercise of its jurisdiction, or which shall be necessary or convenient for the conduct of the Detention Home or Parental School or for the conduct of probation officers or their work as provided for in this Act; to create and provide for Advisory Board to such courts, and to define their duties to make it a misdemeanor by act, or omission, or otherwise to aid, abet, cause, connive at or contribute to the dependency, neglect, or delinquency of such children, in such counties, or to conceal or otherwise interfere with the custody of such children, or to interfere with or obstruct probation officers in the discharge of their duties, and in certain contingencies for injunctions in such cases, and to provide for the trial and punishment of such offenders; to provide for investigations by probation officers, and the effect of their reports as evidence to provide for the taking and enforcement of recognizances when same are made by a minor with adults as sureties; to provide that all proceedings under the terms of this Act in dealing with the children described herein shall be in equity, and civil in their nature, and to regulate same; to provide for the trial of any delinquent child as defined by this Act, in a criminal court of competent jurisdiction when the court after investigation or trial is convinced that such child cannot be made to lead a correct life under the discipline provided for such delinquent under the terms of this Act; to provide that under certain contingencies male children between sixteen and eighteen years of age shall be dealt with as delinquents; to provide for the establishment and maintenance of a Detention Home or Parental School, and for the appointment and compensation of probation officers, and for other expenses incident to the purposes of this Act; to provide for the appointment of referees, and to define their powers and duties; to declare when this act shall take effect, that should any part of this act be found to be unconstitutional that it shall not affect the remainder thereof, and to provide for the repeal of all laws inconsistent, or in conflict with this Act.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the

reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 3:00 P. M. on September 2, 1927.

H. 840.
H. 1110.
H. 767.
H. 1139.
H. 844.
H. 1151.
H. 789.
H. 420.
H. 1121.
H. 858.
H. 546.
H. 1014.
H. 1145.
H. 1138.
H. 768.
H. 1129.
H. 766.
H. 751.
H. 1013.
H. 1028.
H. 797.
H. 956.
H. 1073.
H. 1142.
H. 575.
H. 765.
H. 1035.
H. 963.
H. 627.
H. 1158.
H. 628.
H. 1144.
H. 1143.
H. 950.
H. 1162.

H. 1146.
H. 473.
H. 418.
H. 1026.
H. 775.
H. 717.
H. 718.
H. 459.
H. 774.
H. 385.
H. 682.
H. 405.
H. 862.
H. 770.
H. 595.
H. 488.
H. 511.
H. 530.
H. 513.
H. 1131.
H. 883.
H. 1125.
H. 1008.
H. 759.
H. 1027.
H. 37.
H. 1076.
H. 1119.
H. 64.
H. 1168.
H. 852.
H. 836.
H. 88.
H. 989.
H. 387.
H. 586.
H. 1039.
H. 1166.
H. 180.
H. 471.
H. 368.
H. 818.
H. 490.

J. H. Stewart.
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 5:30 P. M. on Sept. 2, 1927.

H. 474.

H. 995.

H. 1167.

H. J. R. 326.

H. J. R. 321.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 9:10 P. M. on Sept. 2, 1927:

H. 33.

H. 480.

H. 210.

H. 1171.

H. 1124.

H. 1037.

H. 724.

H. 972.

H. 1128.

F. 971.

H. 1155.

H. 1088.

H. 943.

H. 832.

H. 806.

H. 853.

H. 17.

H. 114.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates

and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 10:30 P. M. on Sept. 2, 1927.

..... H. 683.
H. 1159.
H. 195.
H. J. R. 331.
H. J. R. 330.
H. 580.

J. H. Stewart,
Clerk.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the bills and H. J. R. hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipt of the executive department for same.

Delivered to Governor at 11:50 P. M. Sept. 2, 1927.

H. 34.
H. 586.
H. 783.

J. H. Stewart,
Clerk.

Mr. Goode from the Committee heretofore appointed to await upon the Governor and ascertain if he had any further communications for the House, reported that the Governor had no further communications or messages for the House of Representatives.

JOURNAL

The Chairman of the Standing Committee on the Revision of the Journal made the following report.

REPORT OF STANDING COMMITTEE ON REVISION OF THE JOURNAL

Mr. Speaker:

Your standing committee on Revision of the Journal begs leave to report that said committee has carefully examined the Journal of the House for the 50th legislative day, and finds same correct.

R. G. Langdon,
Chairman.

The report of the committee was concurred in and adopted and the Journal for the 50th legislative day was approved.

ADJOURNMENT SINE DIE

There being no further business before the House, the Speaker of the House declared the House at 11:55 P. M. adjourned *sine die*.

J. LEE LONG,
Speaker of the House of Represen-
tatives of the Legislature of Ala-
bama, Session of 1927.

Attest:

J. H. STEWART,
Clerk of the House of Representatives
of the Legislature of Alabama, Session
1927.

ERRATUM

On Page 2915, at the top of the page, the bill S. 587 appears IN ERROR as the vote and roll call appearing on that page (2915) apply to the bill H. 210 appearing on page 2914.

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Fishing in, on Sunday, unlawful, H. 1146, Pages 2320, 2414, 2551, 2813, 2821, 2893, 3013.

Hoop nets, fish baskets, etc., use of in, unlawful, H. 1058, Pages 1953, 2036, 2213, 2603, 2637, 2708.

TALLEY. MOLLIE AND CHILDREN—

Relief of, H. 195, Pages 225, 1966, 2510, 2978, 2998, 3015.

TARRANT CITY, TOWN OF—

Boundary of, rearranged, S. 87, Pages 304, 309, 321, 391, 436.

Boundary of, rearranged, S. 386, Pages 2130, 2135, 2330, 2849, 2906.

TARRANT CITY, TOWN OF—Continued.

Boundary of, rearranged, S. 267, Pages 1712, 2039, 2224, 2294.

Boundary of, rearranged, H. 555, Pages 816, 1081, 1089, 1161, 1175, 2102, 2111, 2237.

Boundary of rearranged, H. 141, Pages 201, 292, 480.

TAXATION—

Lands leased to Cities and Counties for public park purposes, exempt from, H. 690, Pages 1015, 2646.

TAXES—

Assessments for, regulated in counties of 200,000, H. 689, Pages 1015, 1089.

Excise or privilege levied on power developed by water in this State, H. 389, Page 619.

Refunding of authorized when illegally paid, H. 770, Pages 1189, 1964, 2481, 2870, 2894, 3013.

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Compensation and expenses of, fixed, in counties of 90,000 to 275,000 H. 166, Pages 214, 262.

TAX ASSESSORS AND TAX COLLECTORS—

Compensation of fixed in counties of 75,000 to 95,000, H. 744, Pages 1120, 1632.

To employ and fix salaries of Assistants in counties of more than 200,000, H. 1074, Pages 2024, 2249, 2544.

To receive ex-officio fees in counties of more than 200,000, H. 1076, Pages 2024, 2177, 2363, 2431, 2880, 2896, 3013.

TAX COLLECTORS AND ASSISTANTS—

Compensation and expenses of, fixed in counties of 90,000 to 275,000, H. 165, Pages 213, 262.

TAX COMMISSION, STATE—

Estimate of income from Revenue Bill, Page 1985.

Members of, salaries fixed, H. 1180, Pages 2530, 2646.

TAX, TONNAGE—

Deduction of ad valorem tax from, H. 961, Page 1618.

Deduction of, from ad valorem taxes provided for, H. 976, Page 1758.

TAYLOR, HON. R. V.—

Extending invitation to, to address Legislature, H. J. R. 112, Pages 1518, 1588.

TEACHERS, PENSION FOR—

City School Boards in cities of 100,000 to retire teachers on, H. 942, Pages 1610, 1967, 2078.

TELEGRAPH, TELEPHONE AND EXPRESS COMPANIES—

Taxation of, H. 1026, Pages 1942, 2161, 2342, 2870, 2893, 3013.

TEMPERANCE—

Permitting manufacture of alcohol in certain cities, S. 348, Pages 2297, 2407, 2825, 2869.

Prohibiting selling malt extract, S. 275, Pages 1214, 1215, 2181, 2251, 2335, 2429, 2537.

To prohibit transportation of five gallons or more of alcoholic beverages, S. 204, Pages 1214, 1268, 2952, 2954, 3000.

TEXT BOOK COMMISSION, STATE—

Creation of, H. 565, Pages 834, 1204.

TEXT BOOKS, FREE—

State Board of Administration to furnish, H. 898, Pages 1520, 2162, 2457, 2525.

TEXT BOOKS, SCHOOL—

Joint Committee to investigate, S. J. R. 10, Pages 190, 482, 523, 550, 583.

THOMAS, C. E.—

Thanks extended to, for barbecue, S. J. R. 103, Page 2926.

THOMASVILLE, TOWN OF—

Boundary rearranged, H. 816, Pages 1297, 1481, 1721, 2106, 2113, 2237.

TRAFFIC—

At Railroad crossings regulated, H. 51, Pages 95, 1977.

TRAPS—

Use and sale of certain, prohibited, H. 260, Pages 318, 1604.

TRAINS, FREIGHT—

Operation of regulated, crew defined, etc., H. 205, Page 240.

TREASURERS, COUNTY—

Compensation of, fixed in counties of more than 200,000, H. 1118, Pages 2242, 2724.

Salary of fixed in counties of 90,000 and less than 180,000, H. 86, Pages 151, 263, 297, 341, 362, 419.

TREES, BUSHES, SHRUBS, ETC.—

Conservation of flowering trees, bushes, etc., in counties having more than 200,000, S. 178, Pages 1685, 2178.

Conservation of, provided; penalty, H. 753, Pages 1184, 1487.

Conservation of, provided, penalty, in counties of over 100,000, H. 756, Pages 1185, 1487, 1917, 2391, 2524, 2635.

Possession, sale, etc., of, without consent, prohibited, H. 304, Pages 432, 496, 1141, 1173.

TRIALS—

Further regulated, S. 225, Pages 2208, 2209, 2417.

TRIALS, JURY—

Regulated in less than capital offenses, H. 14, Page 83.

TUCKER, J. M.—

For relief of, H. 996, Pages 1824, 1969, 2077, 2742, 2762, 2882.

TUSCALOOSA, CITY OF—

Authorized to sell certain property, H. 721, Pages 1065, 1481, 1746, 2106, 2115, 2237.

Corporate limits of, reduced, H. 741, Pages 1118, 1481, 1747, 2136, 2141, 2253, 2273.

To empower to sell certain property on Warrior River, S. 336, Pages 1667, 1669, 2724.

To reduce corporate limits, S. 335, Pages 1665, 1669, 2724.

TUSCALOOSA COUNTY—

Act amended "To establish Board of Revenue for Tuscaloosa County, etc., Approved September 25, 1915, H. 670, Pages 981, 1082, 1144, 1174, 1715, 1862.

Allowing pay to deputy Sheriff, S. 585, Pages 2732, 2733, 2759.

Board of Revenue of, authorized to use gasoline excise tax funds for paying interest, etc., H. 324, Pages 487, 1080, 1149, 1176, 2105, 2114, 2237.

Board of Revenue to pay salaries of two Deputy Sheriffs, H. 1160, Pages 2402, 2535, 2684.

Board of Revenue of, to make refund to estate of W. C. Kyle, H. 1059, Pages 1955, 2036, 2211, 2742, 2761, 2882.

Inferior Court of, established, H. 707, Pages 1025, 1071, 1148, 1176, 1678, 1859, 1930.

Providing for manner of selecting County Superintendent of Education, S. 337, Pages 1405, 1407, 1631, 2590, 2737.

TUSCUMBIA, CITY OF—

Boundary rearranged, H. 817, Pages 1298, 1499, 1723, 2255, 2276, 2396.

UNIFORM STATE LAWS—

Providing for creation of commission on, S. 222, Pages 2208, 2209, 2418.

UNIONS, CREDIT—

Organization supervision, etc., provided for, H. 197, Pages 226, 1032.

UNITED STATES GOVERNMENT—

Prosecution of claim against. for moneys illegally paid into Federal Treasury, H. 979, Pages 1759, 1964.

UNITED STATES VETERANS' BUREAU HOSPITAL—

To provide for commitment of Veterans to, H. 806, Pages 1262, 1979, 2345, 2977, 2989, 3014.

UNIVERSITY OF ALABAMA—

To donate site of former Capitol to State for Memorial Park, H. J. R. 3, Page 108.

WADDELL, B. deG.—

Extending Good Wishes to, H. R. 312, Page 2722.

WALKER COUNTY—

Act Repealed Amending Act providing for working of public roads, etc., in. Approved March 6, 1903, H. 325, Pages 488, 844, 957, 863, 1340, 1445, 1514.

Act Repealed to regulate the business of money brokers etc., in Jefferson, Morgan, Walker and Etowah counties. Approved March 9, 1901, H. 955, Pages 1615, 1760, 1885, 2182, 2206, 2238.

Additional jurisdiction conferred upon Judge of County Court of, H. 1144, Pages 2319, 2413, 2579, 2806, 2892, 3012.

Additional jurisdiction conferred upon Judge of County Court of, H. 1145, Pages 2320, 2413, 2579, 2806, 2887, 3012.

Commissioners Court of. abolished, Board of Control of, established, H. 739, Pages 1112, 2032.

Commissioners Court of abolished. Board of Revenue created, H. 580, Pages 839, 1966, 2209, 2971, 2998, 3015.

Court of County Commissioners to pay for hospital service for indigent citizens, H. 1065, Pages 1959, 2412, 2558.

WALKER COUNTY—Continued.

- County Superintendent of Education, election of provided for, H. 1161, Pages 2403, 2534, 2670.
- Deputy Sheriffs of, on salary, pay of, better provided for, H. 1155, Pages 2325, 2413, 2557, 2958, 2989, 3014.
- Ginners and cotton buyers to keep records, H. 1066, Pages 1960, 2177, 2373.
- Judge of County Court, qualifications of, prescribed, etc., H. 1143, Pages 2318, 2413, 2541, 2813, 2817, 2892, 3012.
- Mae Amiss Ashmore, Claims of, against Fine and Forfeiture Fund, validated, H. 1089, Pages 2030, 2412, 2559.
- Sheriff to appoint two special deputies, etc., H. 284, Pages 375, 453, 516, 573, 588, 590.
- Warrants, bonds, etc., in, returnable to Circuit Court, H. 1088, Pages 2029, 2415, 2547, 2958, 2989, 3014.

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- County Board of Education authorized to issue and sell, etc., H. 126, Pages 171, 319, 394, 520, 532, 545.

WASHINGTON COUNTY—

- Act Repealed "To better improve the public roads of, Approved September 14, 1923, H. 916, Pages 1539, 1629, 1927, 2390, 2435, 2521.
- Commissioners districts of, preserved, H. 915, Pages 1537, 1629, 1925, 2390, 2434, 2521.
- County Superintendent of Education, election of, provided for, H. 672, Pages 984, 1083, 1338, 1412, 2105, 2115, 2237.
- To fix the salary of Deputy Solicitor of, H. 186, Pages 223, 263, 298, 404, 436, 445.

WATERWAYS, INLAND—

- Relative to development of, S. J. R. 35, Pages 366, 367.

WESTERN CONSTRUCTION COMPANY—

- For relief of, H. 890, Pages 1470, 1982.

WILCOX COUNTY—

- Board of Revenue for, established, Court of County Commissioners abolished, H. 1108, Pages 2154, 2326, 2553.
- Court of County Commissioners to pay premiums on official bonds, H. 1110, Pages 2158, 2326, 2593, 2798, 2885, 3012.
- Court of County Commissioners to pay for printing notices of local legislation, H. 1064, Pages 1958, 2037, 2233, 2604, 2638, 2708.
- County Commissioners to pay expenses of Deputy Sheriff, H. 1062, Pages 1956, 2036, 2230, 2604, 2639, 2708.
- Probate Judge and Deputy Solicitor to employ reporter, etc., H. 1063, Pages 1957, 2036, 2229, 2605, 2639, 2708.

WILDER, CHARLES E.—

- For relief of, S. 89, Pages 301, 304, 1205, 2181, 2252, 2848, 2907.

WILLIAMS, JAMES C.—

- For the relief of, S. 134, Pages 404, 411, 454, 512, 530.

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- Providing for employment of legal services on contest, S. 541, Pages 2472, 2723.

WINSTON COUNTY—

County Superintendent, election of, provided for, H. 119, Pages 169, 231, 956.

Election of County Superintendent of Education provided for, S. 4, Pages 335, 337, 350, 383, 436, 470, 471, 514.

To permit the sheriff to employ an additional deputy, S. 166, Pages 1042, 1054, 1192, 1337, 1418.

WILSON DAM—

President Coolidge requested to call extra session of Congress to determine Government Policy on, H. J. R. 43, Pages 447, 554, 559.

WOODMEN OF THE WORLD—

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
EXTRA SESSION, 1926-27

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING**

TUESDAY, DECEMBER 28, 1926.



**WITH AN INDEX PREPARED BY THE CLERK OF THE
HOUSE OF REPRESENTATIVES**

BROWN PRINTING COMPANY
State Printers and Binders,
Montgomery, Ala.
1927

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
ALABAMA

EXTRA SESSION, 1926-27

FIRST DAY

Montgomery, Alabama.
Tuesday, December 28th, 1926.

Be it remembered that on the 27th day of November, A. D., 1926, His Excellency William W. Brandon, Governor of the State of Alabama issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION

BY THE GOVERNOR

Whereas, in my opinion an emergency, such as is contemplated by Section 122, Constitution of 1901, exists requiring the action of the Legislature of Alabama concerning matters hereinafter specifically mentioned:

Now, Therefore, I, William W. Brandon, Governor of the State of Alabama, do hereby call into extraordinary session the Legislature of Alabama elected on November 2, 1926, such extraordinary session of the Legislature to convene at the Capitol in the Senate Chamber and in the Hall of the House of Representatives on Tuesday, the 28th day of December, 1926, at twelve o'clock, noon, and I do hereby designate the following subjects and matters as those concerning the action of the Legislature, deemed necessary:

(1) To submit to a vote of the Electorate of Alabama a Constitutional Amendment authorizing the issuance and sale by the State of Alabama of bonds not to exceed in value twenty-five millions (\$25,000,000) dollars for the purpose of constructing and maintaining roads, highways, and bridges in the State, said bonds to be in addition to those heretofore authorized for such purposes.

(2) To enact a law levying a tax of two cents per gallon on gasoline or other substances or substitutes for the same as the motive power of self-propelled vehicles of all kinds, said tax to be in addition to that already levied upon such substances.

In Witness Whereof, I, William W. Brandon, have caused this proclamation to be issued on this the 27th day of November, in the year of our

Lord One Thousand Nine Hundred and Twenty-six, and have caused the same to be attested by the Secretary of State Under the Great Seal of State.

(Seal.)

WILLIAM W. BRANDON,
Governor.

By the Governor:

S. H. BLAN,
Secretary of State.

In pursuance whereof, at the hour of 12 M., on Tuesday, the 28th day of December, 1926, the representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives. The House was called to order by Hon. Hugh D. Merrill, Speaker of the House of Representatives.

PRAYER.

The session was opened with prayer by Dr. C. A. Stakely of the City of Montgomery.

The following members appeared and took seats:

REPRESENTATIVES IN THE LEGISLATURE.

Autauga—F. Maury Howard.
Baldwin—W. C. Bebee.
Barbour—William H. Owens, G. W. Winn.
Bibb—N. E. Stewart.
Blount—F. G. Stephens.
Bullock—C. D. Norman, G. Herbert Jones.
Butler—J. Lee Long, Jos. N. Poole.
Calhoun—Hugh D. Merrill, O. L. Stewart.
Chambers—R. C. Wallace, J. O. Webb.
Cherokee—W. E. Ringer.
Chilton—Percy M. Pitts.
Choctaw—W. R. Edwards.
Clarke—D. F. Anderson, J. T. Johnson.
Clay—J. J. Cockrell.
Cleburne—Leo R. Jones.
Coffee—W. M. Brunson.
Colbert—John E. Deloney.
Conecuh—S. B. Sanders.
Coosa—John A. Darden.
Covington—E. O. Baldwin.
Crenshaw—J. B. Moxley.
Cullman—F. E. St. John.
Dale—W. F. Monk.
Dallas—C. Kirkpatrick, Wm. P. Molette.
DeKalb—Jno. T. Bartlett.
Elmore—A. C. Rogers, W. G. Weldon.

Escambia—W. Y. Lovelace.
Etowah—C. O. Thompson, E. D. Jordan.
Fayette—Wm. M. Cannon.
Franklin—Wm. H. Quillin.
Geneva—R. S. Ward.
Greene—Jno. W. Cook.
Hale—A. M. Tunstall, W. C. Christian.
Henry—J. A. Parish, T. W. Howell.
Houston—O. L. Tompkins.
Jackson—Ira Pegues, L. H. Hughes.
Jefferson—Lee Edmundson, Jno. C. Morrow, Wallace C. McAdory, Jas. A. Simpson, Mark L. Jeter, George Frey, S. W. Hawkins.
Lamar—D. G. W. Hollis.
Lauderdale—C. W. Ashcraft, H. L. Reeder.
Lawrence—J. D. L. Byars.
Lee—N. D. Denson, Jr., C. B. Gullatt.
Limestone—Jas. G. Rankin.
Lowndes—R. M. Guy, L. S. Golson.
Macon—Geo. T. Bryant.
Madison—Jno. P. Hampton, Robt. T. Lawler, Jr.
Marengo—W. G. Allen, A. A. Miller.
Marion—Ernest B. Fite.
Marshall—H. L. Nipper.
Mobile—C. M. A. Rogers, Marion Richard Vickers, Edward J. Grove.
Monroe—A. C. Lee.
Montgomery—Thos. E. Martin, Eugene W. Carter, R. Tyler, Goodwin, L. A. Sanderson.
Morgan—John Patterson, F. E. Burleson.
Perry—W. O. Shivers, W. L. Desear.
Pickens—Robt. G. Langdon.
Pike—J. T. Sanders, G. J. Hubbard.
Randolph—D. T. Ware.
Russell—B. de G. Waddell, Roy L. Smith.
Shelby—Paul O. Luck.
St. Clair—W. T. Starnes.
Sumter—Geo. O. Miller, C. B. Hightower, Sr.
Talladega—F. G. Mullen, S. A. Burns.
Tallapoosa—G. G. Adcock, W. D. Graves.
Tuscaloosa—Robt. B. Harwood, T. B. Ward.
Walker—James B. Powell, J. Carl Shepherd.
Washington—Jesse L. Jordan.
Wilcox—R. J. Goode, Jr., H. Matthews.
Winston—R. M. Rivers.

The Speaker of the House announced that a quorum had appeared, one hundred and 5 members having answered to their names.

OATH OF OFFICE

The oath of office was then administered to the above named members by Judge Lucian Gardner, Associate Justice of the Supreme Court of Alabama.

RECESS.

On motion of Mr. Goodwyn the House recessed until two (2) P. M.

The hour of two o'clock P. M. having arrived the House reconvened.

The House then proceeded to the election of its permanent officers.

ELECTION OF SPEAKER.

Mr. Tunstall nominated Hon. J. Lee Long, of Butler, for Speaker of the House, and those who voted for Mr. Long are:

Messrs.:			
Adcock	Goode	Lovelace	Rogers (Mobile)
Allen	Goodwyn	Luck	St. John
Anderson	Graves	McAdory	Sanders (Concub)
Ashcraft	Grove	Martin	Sanders (Pike)
Baldwin	Gullatt	Matthews	Sanderson
Bartlett	Guy	Merrill	Shepherd
Beebe	Hampton	Miller (Marengo)	Simpson
Brunson	Harwood	Miller (Sumter)	Shivers
Bryant	Hawkins	Molette	Smith
Burleson	Hightower	Monk	Starnes
Burns	Hollis	Morrow	Stephens
Byars	Howard	Moxley	Stewart (Bibb)
Cannon	Howell	Mullen	Stewart (Calhoun)
Carter	Hubbard	Nipper	Thompson
Christian	Hughes	Norman	Tompkins
Cockrell	Jeter	Owens	Tunstall
Cook	Johnson	Parish	Vickers
Darden	Jones (Bullock)	Patterson	Waddell
Deloney	Jones (Cleburne)	Pegues	Wallace
Denson	Jordan (Etowah)	Poole	Ward (Geneva)
Desear	Jordan (Washington)	Powell	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Quillin	Ware
Edwards	Langdon	Rankin	Webb
Fite	Lawler	Reeder	Weldon
Frey	Lee	Ringer	Winn
Golson	Long	Rogers (Elmore)	

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Mr. Long having received all the votes cast, a majority of the House, was declared duly and constitutionally elected Speak-

er of the House of Representatives for the term prescribed by law.

On motion of Mr. Tunstall, the Speaker appointed a Committee of three to notify Mr. Long of his election and to escort the Speaker-elect to the Chair.

The Speaker appointed Messrs. Hawkins, Goodwyn and Poole to notify the Speaker-elect.

Hon. J. Lee Long appeared and the oath of office was administered by Hon. Hugh D. Merrill, Speaker of the House.

ELECTION OF CLERK.

Mr. Tunstall nominated J. H. Stewart of Randolph for Clerk, and those who voted for Mr. Stewart are:

Messrs.:			
Mr. Speaker	Golson	Lovelace	Rogers (Elmore)
Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Graves	Martin	Sanders (Conecuh)
Ashcraft	Grove	Matthews	Sanders (Pike)
Baldwin	Gullatt	Merrill	Sanderson
Bartlett	Guy	Miller (Marengo)	Shepherd
Beebe	Hampton	Miller (Sumter)	Simpson
Brunson	Harwood	Molette	Shivers
Bryant	Hawkins	Monk	Smith
Burleson	Hightower	Morrow	Starnes
Burns	Hollis	Moxley	Stephens
Byars	Howard	Mullen	Stewart (Bibb)
Cannon	Howell	Nipper	Stewart (Calhoun)
Carter	Hubbard	Norman	Thompson
Christian	Hughes	Owens	Tompkins
Cockrell	Jeter	Parish	Tunstall
Cook	Johnson	Patterson	Vickers
Darden	Jones (Bullock)	Pegues	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Edmundson	Kirkpatrick	Rankin	Ware
Edwards	Langdon	Reeder	Webb
Fite	Lawler	Ringer	Weldon
Frey	Lee	Winn	

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Mr. Stewart having received a majority of the votes cast, was declared duly and constitutionally elected Clerk of the House of Representatives for the term prescribed by law.

ELECTION OF ASSISTANT CLERK.

Mr. Tunstall nominated Mr. Jesse B. Adams of Ozark for Assistant Clerk. Those who voted for Mr. Adams are:

Messrs.:			
Mr. Speaker	Golson	Lovelace	Rogers (Mobile)
Adcock	Goode	Luck	St. John
Allen	Goodwyn	McAdory	Sanders (Conecuh)
Anderson	Graves	Martin	Sanders (Pike)
Ashcraft	Grove	Matthews	Sanderson
Baldwin	Gullatt	Merrill	Shepherd
Bartlett	Guy	Miller (Marengo)	Simpson
Beebe	Hampton	Miller (Sumter)	Shivers
Brunson	Harwood	Molette	Smith
Bryant	Hawkins	Monk	Starnes
Burleson	Hightower	Morrow	Stephens
Burns	Hollis	Moxley	Stewart (Bibb)
Byars	Howard	Mullen	Stewart (Calhoun)
Cannon	Howell	Nipper	Thompson
Carter	Hubbard	Norman	Tompkins
Christian	Hughes	Owens	Tunstall
Cockrell	Jeter	Parish	Vickers
Cook	Johnson	Patterson	Waddell
Darden	Jones (Bullock)	Pegues	Wallace
Deloney	Jones (Cleburne)	Poole	Ward (Geneva)
Denson	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Desear	Jordan (Washington)	Quillin	Ware
Edmundson	Kirkpatrick	Rankin	Webb
Edwards	Langdon	Reeder	Weldon
Fite	Lawler	Ringer	Winn
Frey	Lee	Rogers (Elmore)	

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Mr. Adams having received all the votes cast, was declared duly and constitutionally elected Assistant Clerk of the House of Representatives for the term prescribed by law.

ELECTION OF ENROLLING CLERK.

Mr. Tunstall nominated Mr. J. P. Hanks, of Montgomery for Enrolling Clerk. Those who voted for Mr. Hanks are:

Messrs.:			
Mr. Speaker	Cook	Harwood	Lee
Adcock	Darden	Hawkins	Lovelace
Allen	Deloney	Hightower	Luck
Anderson	Denson	Hollis	McAdory
Ashcraft	Desear	Howard	Martin
Baldwin	Edmundson	Howell	Matthews
Bartlett	Edwards	Hubbard	Merrill
Beebe	Fite	Hughes	Miller (Marengo)
Brunson	Frey	Jeter	Miller (Sumter)
Bryant	Golson	Johnson	Molette
Burleson	Goode	Jones (Bullock)	Monk
Burns	Goodwyn	Jones (Cleburne)	Morrow
Byars	Graves	Jordan (Etowah)	Moxley
Cannon	Grove	Jordan (Washington)	Mullen
Carter	Gullatt	Kirkpatrick	Nipper
Christian	Guy	Langdon	Norman
Cockrell	Hampton	Lawler	Owens

Parish	Rogers (Elmore)	Smith	Waddell
Patterson	Rogers (Mobile)	Starnes	Wallace
Pegues	St. John	Stephens	Ward (Geneva)
Poole	Sanders (Conecuh)	Stewart (Bibb)	Ward (Tuscaloosa)
Powell	Sanders (Pike)	Stewart (Calhoun)	Ware
Quillin	Sanderson	Thompson	Webb
Rankin	Shepherd	Tompkins	Weldon
Reeder	Simpson	Tunstall	Winn
Ringer	Shivers	Vickers	

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Mr. Hanks having received all the votes cast, was declared duly and constitutionally elected Enrolling Clerk for the term prescribed by law.

ELECTION OF ENGROSSING CLERK.

Mr. Tunstall nominated Mr. J. A. Dickinson of Autauga for Engrossing Clerk. Those who voted for Mr. Dickinson are:

Messrs.:			
Mr. Speaker	Golson	Lovelace	Rogers (Mobile)
Adcock	Goode	Luck	St. John
Allen	Gcodwyn	McAdory	Sanders (Conecuh)
Anderson	Graves	Martin	Sanders (Pike)
Ashcraft	Grove	Matthews	Sanderson
Baldwin	Gullatt	Merrill	Shepherd
Bartlett	Guy	Miller (Marengo)	Simpson
Beebe	Hampton	Miller (Sumter)	Shivers
Brunson	Harwood	Molette	Smith
Bryant	Hawkins	Monk	Starnes
Burleson	Hightower	Morrow	Stephens
Burns	Hollis	Moxley	Stewart (Bibb)
Byars	Howard	Mullen	Stewart (Calhoun)
Cannon	Howell	Nipper	Thompson
Carter	Hubbard	Norman	Tompkins
Christian	Hughes	Owens	Tunstall
Cockrell	Jeter	Parish	Vickers
Cook	Johnson	Patterson	Waddell
Darden	Jones (Bullock)	Pegues	Wallace
Deloney	Jones (Cleburne)	Poole	Ward (Geneva)
Denson	Jordan (Etowah)	Powell	Ward (Tuscaloosa)
Desear	Jordan (Washington)	Quillin	Ware
Edmundson	Kirkpatrick	Rankin	Webb
Edwards	Langdon	Reeder	Weldon
Fite	Lawler	Ringer	Winn
Frey	Lee	Rogers (Elmore)	

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Mr. Dickinson having received all the votes cast, was declared duly and constitutionally elected Engrossing Clerk for the term prescribed by law.

ELECTION OF DOORKEEPER.

Mr. Tunstall nominated Mr. T. J. Fain of Dale for Doorkeeper of the House. Those who voted for Mr. Fain are:

Messrs.:			
Mr. Speaker	Goode	Lovelace	Ringer
Adcock	Goodwyn	Luck	Rogers (Elmore)
Allen	Graves	McAdory	Rogers (Mobile)
Anderson	Grove	Martin	St. John
Ashcraft	Gullatt	Matthews	Sanders (Pike)
Baldwin	Guy	Merrill	Sanderson
Bartlett	Hampton	Miller (Marengo)	Shepherd
Beebe	Harwood	Miller (Sumter)	Simpson
Brunson	Hawkins	Molette	Shivers
Bryant	Hightower	Monk	Smith
Burns	Hollis	Morrow	Starnes
Byars	Howard	Moxley	Stephens
Carter	Howell	Mullen	Stewart (Bibb)
Christian	Hubbard	Nipper	Thompson
Cockrell	Hughes	Norman	Tompkins
Cook	Jeter	Owens	Tunstall
Darden	Johnson	Parish	Vickers
Deloney	Jones (Bullock)	Patterson	Waddell
Denson	Jones (Cleburne)	Pegues	Wallace
Desear	Jordan (Etowah)	Poole	Ward (Geneva)
Edmundson	Jordan (Washington)	Powell	Ware
Edwards	Kirkpatrick	Quillin	Webb
Fite	Langdon	Rankin	Weldon
Frey	Lawler	Reeder	Winn
Golson	Lee		

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Mr. Fain having received all the votes cast, was declared duly and constitutionally elected Doorkeeper of the House of Representatives for the term prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER.

Mr. Tunstall nominated Mr. L. P. Bamberg of Perry as Assistant Doorkeeper. Those who voted for Mr. Bamberg are:

Messrs.:			
Mr. Speaker	Desear	Hubbard	Molette
Adcock	Edmundson	Hughes	Monk
Allen	Edwards	Jeter	Morrow
Anderson	Fite	Johnson	Moxley
Ashcraft	Frey	Jones (Bullock)	Mullen
Baldwin	Golson	Jones (Cleburne)	Nipper
Bartlett	Goode	Jordan (Etowah)	Norman
Beebe	Goodwyn	Kirkpatrick	Owens
Brunson	Graves	Langdon	Parish
Bryant	Grove	Lawler	Patterson
Burns	Gullatt	Lee	Pegues
Byars	Guy	Lovelace	Poole
Cannon	Hampton	Luck	Powell
Carter	Harwood	McAdory	Quillin
Cockrell	Hawkins	Martin	Rankin
Cook	Hightower	Matthews	Reeder
Darden	Hollis	Merrill	Ringer
Deloney	Howard	Miller (Marengo)	Rogers (Elmore)
Denson	Howell	Miller (Sumter)	Rogers (Mobile)

St. John	Smith	Tompkins	Ward (Geneva)
Sanders (Conecuh)	Starnes	Tunstall	Ware
Sanderson	Stephens	Vickers	Webb
Shepherd	Stewart (Calhoun)	Waddell	Weldon
Simpson	Thompson	Wallace	Winn
Shivers			

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Mr. Bamberg having received all the votes cast, was declared duly and constitutionally elected Assistant Doorkeeper of the House of Representatives for the term prescribed by law.

OFFICERS SWORN IN.

Messrs. J. H. Stewart, Jesse B. Adams, J. A. Dickinson, T. J. Fain and L. P. Bamberg the subordinate officers, appeared, and the oath of office was administered by the Speaker.

On motion of Mr. Long, the Clerk of the House was directed to send a telegram to Hon. J. W. Greene, member elect from Dallas County, expressing the sympathy of the House on account of his illness and wishing for him a speedy recovery.

MESSAGE FROM THE SENATE.

Mr. Speaker:

I am directed by the Senate to notify the House that the Senate has perfected its organization by the election of the following officers, to-wit: President Pro-Tem, Hon. Watt T. Brown, of St. Clair; Secretary, Hon. J. E. Speight, of Covington; Asst. Secretary, Harrison McCutchen, of Jackson; Enrolling Clerk, Mrs. Lula Thompson, of Montgomery; Engrossing Clerk, Mrs. Nannye Belle Walker, of Montgomery; Door-keeper, Hon. J. K. Jenkins, of Clay; Asst. Door-keeper, Mr. J. G. Watkins, of Barbour; Door-keeper Gallery, Mr. John Bell, of St. Clair.

And is now ready for the transaction of the public business.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Williams:

S. J. R. No. 4. Resolved by Senate, the House concurring, that a joint committee of five, consisting of three on the part of the House and two on the part of the Senate, be appointed to wait upon the Governor of Alabama, and inform him of the organization of the Legislature and its readiness to transact public business.

And the President and Presiding Officer of the Senate appointed as a Committee on part of the Senate, Messrs: Williams and Stokes.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall the rules were suspended and the S. J. R. No. 4 above set out was adopted and the Speaker named as the Committee on the part of the House, Messrs. Hawkins, Merrill and Goodwyn.

RESOLUTIONS.

Mr. Tunstall offered the following resolution:

By Mr. Tunstall:

H. R. 1. Resolved that any member of the House who was a Confederate Soldier be and is hereby authorized to select his seat in the House, and on motion of Mr. Tunstall the rules were suspended and the resolution was adopted.

House Resolution No. 2 by Mr. Tunstall:

H. R. 2. Resolved, that a Committee on the "Constitution and Constitutional Amendments" be and is hereby created as one of the Standing Committees of the House of Representatives of Alabama and which said Committee shall be composed of seven members and shall be appointed by the Speaker of the House. And on motion of Mr. Tunstall the rules were suspended and the Resolution was adopted. And the Speaker of the House named as members of the Committee the following: Mr. Tunstall, Chairman, and Messrs. Baldwin, Carter, Fite, Edmundson, Ware and Stephens.

By Mr. Byars:

H. R. 3. Resolved, That the members of the House hereby tender our heartfelt sympathy to Hon. R. T. Lawler, Jr., of Madison in the death of his father, news of which has just been received.

And on motion of Mr. Byars the rules were suspended and the resolution was adopted by the unanimous rising vote of the House.

On motion of Mr. Tunstall the Speaker of the House was directed to appoint a committee of ten, one from each Congressional District, to assign seats to the members of the House and the Speaker named the following committee:

First District—Mr. Allen.

Second District—Mr. Poole.

Third District—Mr. Norman.
 Fourth District—Mr. Molette.
 Fifth District—Mr. Adcock.
 Sixth District—Mr. Shivers.
 Seventh District—Mr. Thompson.
 Eighth District—Mr. Byars.
 Ninth District—Mr. Simpson.
 Tenth District—Mr. Langdon.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Mr. Fite:

S. J. R. 8. Resolved by the Senate, the House concurring, that the sum of Twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the State Treasury to defray the expenses of the Extra Session of the Legislature of 1926-27.

And sends same herewith to the House.

J. E. Speight,
 Seretary.

SENATE MESSAGE.

The S. J. R. 8. set out in the above and foregoing Senate message was read one time and referred to an appropriate standing committee as follows:

S. J. R. 8. Constitution and Constitutional Amendments.

Gentlemen of the House of Representatives:

I am directed by the Governor to hand you herewith his message and copy of his proclamation calling you into extra session.

Respectfully submitted,

A. L. TYSON,
 Secretary to the Governor.

December 28, 1926.

MESSAGE FROM THE GOVERNOR.

To the Legislature of Alabama:

Gentlemen:

After careful consideration and due deliberation, with a careful review of the public's welfare, and with an earnest desire to cooperate with my successor in office, I reached the conclusion that an emergency existed, such as contemplated in the Constitution, and I have called you into extraordinary session in order that there shall be no cessation in road building in this great State.

Upon careful examination it has been found that the incoming administration will be unable to continue a road building programme unless funds are supplied. After a conference with the Governor-elect, Hon. Bibb

Graves, a programme was agreed upon to give to the people of Alabama an opportunity to pass upon the question of a Twenty Five Million Dollar bond issue for the purpose of building roads. All but \$2,000,000.00 of the \$25,000,000.00 heretofore authorized have been issued and sold and the proceeds applied to the building of roads. Much good has been done, many roads have been built but still more needs to be done and Alabamians are called upon to "take no backward step" but continue the work until good roads are built in every county in the State and the gaps in those already built are constructed, giving to field and farm transportation facilities second to none in the South. Therefore, I have issued a proclamation calling you here, naming only two subjects in my proclamation to be considered by you under this call, to-wit:

1. To submit to a vote of the electorate of Alabama a Constitutional Amendment authorizing the issuance and sale by the State of Alabama of bonds not to exceed in value twenty-five million (\$25,000,000.00) dollars, for the purpose of constructing and maintaining roads, highways, and bridges in the State, said bonds to be in addition to those heretofore authorized for such purposes.

2. To enact a law levying a tax of two cents per gallon on gasoline or other substances or substitutes for the same as the motive power of self-propelled vehicles of all kinds, said tax to be in addition to that already levied upon such substances.

So you will observe that the motive that prompted the call was that funds be made available to the incoming administration as early as possible so that no delay may be had in this undertaking for our development. Bills will be introduced covering these two subjects and I earnestly urge the passage of both as speedily as possible.

I beg to transmit herewith copy of my proclamation, calling you in extra session and I ask that same be made a part of the record.

Trusting that your deliberations will be harmonious and that the State will continue to go forward and that all forces will unite for the peace and prosperity of our people, I am

Sincerely yours,
Wm. W. BRANDON,
Governor.

December 28, 1926.

A PROCLAMATION

By the Governor

WHEREAS, in my opinion, an emergency, such as is contemplated by Section 122, Constitution 1901, exists requiring the action of the Legislature of Alabama concerning matters hereinafter specifically mentioned.

NOW, THEREFORE, I, William W. Brandon, Governor of the State of Alabama, do hereby call into extraordinary session the Legislature of Alabama elected on November 2, 1926, such extraordinary session of the Legislature to convene at the Capitol in the Senate Chamber and in the Hall of House of Representatives on Tuesday, the 28th day of December, 1926, at twelve o'clock, noon, and I do hereby designate the following subjects and matters as those concerning the action of the Legislature, deemed necessary:

(1) To submit to a vote of the electorate of Alabama a Constitutional Amendment authorizing the issuance and sale by the State of Alabama of bonds not to exceed in value twenty-five million (\$25,000,000.00) dollars, for the purpose of constructing and maintaining roads, highways, and bridges in the State, said bonds to be in addition to those heretofore authorized for such purposes.

(2) To enact a law levying a tax of two cents per gallon on gasoline or other substances or substitutes for the same as the motive power of self-propelled vehicles of all kinds, said tax to be in addition to that already levied upon such substances.

IN WITNESS WHEREOF, I, William W. Brandon, have caused this proclamation to be issued on this the 27th day of November, in the year of our Lord, One Thousand Nine Hundred and Twenty six, and have caused the same to be attested by the Secretary of State under the Great Seal of the State.

(Seal)

Wm. W. BRANDON,
Governor.

By the Governor:

S. H. BLAN,
Secretary of State.

GOVERNOR'S MESSAGE

The above and foregoing message from the Governor was read at length.

LEAVE OF ABSENCE.

Was granted to Messrs. Howard, Jones of Bullock and Lawler.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Brown:

S. J. R. 7. Be it Resolved by the Senate, the House concurring, that the Governor-elect, the Honorable Bibb Graves, Lieutenant Governor-elect, the Hon. W. C. Davis, and Governor Brandon be invited to address a Joint Session of the two Houses at 12 o'clock December 29, 1926.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall the rules were suspended and the S. J. R. 7 set out in the above and foregoing message from the Senate was concurred in and adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, severally read one time and referred to appropriate Standing Committees as follows:

By Mr. Tunstall:

H. 1. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama authorizing the State to locate,

construct, improve, repair and maintain public roads, highways, and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed Twenty-five million Dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921, proposing an amendment to the Constitution of the State of Alabama known and designated Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday,, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border

counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold

at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State, and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes " "No.", The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representa-

tives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill providing for a Constitutional Amendment was read one time, at length, and referred to the Standing Committee on Constitution and Constitutional Amendments.

By Mr. Tunstall:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Constitution and Constitutional Amendments.

By Mr. Goodwyn:

H. 3. To amend Section 754, Code of Alabama, 1923.

Constitution and Constitutional Amendments.

By Mr. Goodwyn:

H. 4. To fix and prescribe the salaries of certain Executive officers of Alabama, namely, State Auditor, State Treasurer, Secretary of State, and Commissioner of Agriculture and Industries, and the manner of paying the same.

Constitution and Constitutional Amendments.

By Mr. Powell:

H. 5. To propose an amendment to the Constitution of Alabama so as to authorize and empower the Legislature from time to time by general or local laws to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Walker County, including the method or basis of their compensation, and to order an election by the qualified electors of the State upon such proposed amendment to be held on the First Monday after the expiration of three months from and after the final adjournment of the present Special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amend-

ment and the day hereby appointed for such election is the first Monday after the expiration of three months from and after the final adjournment of the present Extra session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Walker County, including the method and basis of their compensation.

Section 2. That it shall be the duty of the Governor to give notice by Proclamation to be published in one newspaper in each county of the State at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, Viz:

"Shall the following amendment to the Constitution of Alabama be adopted, authorizing the Legislature, by general or local laws, from time to time, to fix, regulate and alter the costs, charges, fees, commissions, allowances and salaries to be charged or received by any county officer of Walker County, including the method and basis of their compensations. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark by him opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of the State and counted in the same manner as in elections for Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a Proclamation of the Governor.

The above and foregoing bill providing for a Constitutional amendment was read one time, at length, and referred to the

Standing Committee on Constitution and Constitutional Amendments.

By Mr. Tunstall:

H. 6. To appropriate the sum of Fifty Thousand Dollars, or so much thereof as may be necessary, out of the general funds of the State Treasury for the purpose of defraying the expenses of the extraordinary session of the Legislature of the State of Alabama.

Constitution and Constitutional Amendments.

ADPOURNMENT.

On motion of Mr. Ashcraft the House adjourned until 11 o'clock A. M. tomorrow.

SECOND DAY

House of Representatives.
Montgomery, Ala., Dec. 29th, 1926

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Dr. Richard Wilkinson of Montgomery.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Cook	Harwood	McAdory
Adcock	Darden	Hawkins	Martin
Allen	Deloney	Hightower	Matthews
Anderson	Denson	Hollis	Merrill
Ashcraft	Desear	Howell	Miller (Marengo)
Baldwin	Edmundson	Hubbard	Miller (Sumter)
Bartlett	Edwards	Hughes	Molette
Beebe	Fite	Jeter	Monk
Brunson	Frey	Johnson	Morrow
Bryant	Golson	Jones (Cleburne)	Moxley
Burleson	Goode	Jordan (Etowah)	Mullen
Burns	Goodwyn	Jordan (Washington)	Nipper
Byars	Graves	Kirkpatrick	Norman
Cannon	Grove	Langdon	Owens
Carter	Gullatt	Lee	Parish
Christian	Guy	Lovelace	Patterson
Cockrell	Hampton	Luck	Pegues

Pitts	Rogers (Mobile)	Starnes	Waddell
Poole	St. John	Stephens	Wallace
Powell	Sanders (Conecuh)	Stewart (Bibb)	Ward (Geneva)
Quillin	Sanders (Pike)	Stewart (Calhoun)	Ward (Tuscaloosa)
Rankin	Sanderson	Thompson	Ware
Reeder	Shepherd	Tompkins	Webb
Ringer	Simpson	Tunstall	Weldon
Rivers	Shivers	Vickers	Winn
Rogers (Elmore)	Smith		

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A quorum was present.

RULES OF HOUSE.

On motion of Mr. Deloney the Rules of the last House of Representatives of Alabama were adopted as the rules of this House pending the adoption of Rules by this House and the Clerk of the House was directed to have 500 copies printed for the use of the House.

JOURNAL.

On motion of Mr. Tunstall the reading of the Journal of the House for the first Legislative Day was dispensed with and the Journal of the House for the first Legislative Day was approved by the House.

INTRODUCTION OF BILL.

The following bill was introduced and referred to an appropriate Standing Committee as follows:

By Mr. Johnson:

H. 7. An Act to submit to the qualified electors of this State at a special election to be held at the call of the Governor, after ninety days from the final adjournment of this Legislature, for their consideration, an amendment to the Constitution for the purpose of authorizing the Jackson school district number seventy-two of Clarke County, and all other school districts which have been or may hereafter be consolidated with said Jackson district to levy and collect a tax not exceeding fifty cents on each One Hundred Dollars' worth of taxable property in such districts, for the purpose (a) of paying all of the outstanding bonds of the town of Jackson which were heretofore issued for the erection and equipment of a public school building, and (b) for other public school purposes, and to authorize an election within said districts for such purpose to provide for the holding of such election within said districts, and to provide for the collection of such taxes.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is proposed to be submitted to the qualified electors of the State for their ratification or rejection at an election to be held and called by the Governor after ninety days from the final adjournment of this session of the Legislature at which the amendment is proposed, which amendment is as follows, to-wit:

Article.....

1. The Jackson school district number seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson district may levy and collect a tax not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds, then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

2. After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72, and the districts which have been consolidated therewith, no other district may consolidate with the Jackson district, until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

3. The election of such tax be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the Third amendment to this Constitution.

4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made by reason of the tax hereby authorized.

Section 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county in the State at least eight successive weeks next preceding the said election on the amendment proposed by this Act

to be submitted to the qualified electors of the State for their ratification or rejection.

Section 3. That at the election so held under such call of the Governor, as hereinabove provided, the qualified electors of the State shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, namely, "Shall the following be adopted as Article..... of the Constitution of Alabama?"

"1. The Jackson school district number seventy-two of Clarke County, and all other school districts of Clarke County which have been, or may hereafter be consolidated with the said Jackson district may levy and collect a tax not exceeding fifty cents on each one hundred dollars' worth of taxable property in such districts, for the purpose (a) of paying or refunding all the outstanding bonds of said town of Jackson which were heretofore issued for the erection and equipment of the public school building in said town, and (b) after the payment of such bonds, then for public school purposes within said districts; provided that the rate of the proposed tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the combined districts affected and voted for by a majority of those voting in the election.

2. After such tax shall have been voted for, and is being levied and collected by the said Jackson School District No. 72 and the districts which have been consolidated therewith, no other district may consolidate with the Jackson district, until such district shall have also voted a tax of like amount and with like expiration date as shall have been voted by the districts which are then levying and collecting the tax provided for by Section 1 hereof.

"3. The election for such tax shall be proposed, called, held, and the votes canvassed and results declared, and the tax collected in the same manner as may now or hereafter be provided by law for the special school district taxes authorized by Section 2 of the Third Amendment to this Constitution.

"4. The tax hereby authorized shall be in addition to any and all other taxes now authorized by law; and its collection shall in no manner affect the right of the districts in which it shall be levied to share in the school monies heretofore available for such districts, nor shall any reduction in such shares be made, by reason of the tax hereby authorized." Following the proposed amendment on the ballot shall be printed the word "Yes", and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark by him, or under his direction, opposite the word expressing his desire.

Section 4. The officers who hold such election shall be the same, and shall be appointed in the same manner and by the same officer as has been or may be provided by this Legislature for the submission to the qualified electors for their consideration an amendment to the constitution for the purpose of authorizing the issuance and sale of bonds for good roads construction and maintenance.

Section 5. That the election shall be held in all respects in accordance with the law governing elections and with the constitutional provisions concerning amendments to that instrument.

Section 6. That the votes cast at said election shall be counted and canvassed, and return made thereof to the Secretary of State in the same manner as in elections for representatives to the legislature. The result of said election shall be made known by proclamation of the Governor, and if a majority of all qualified electors who voted at said election upon the proposed amendment shall have voted "Yes," said amendment from the date of said proclamation shall be valid to all intents and purposes as a part of the Constitution of Alabama, and as an Article thereof.

The above and foregoing bill, providing for an amendment to the Constitution, was read one time,, at length, and referred to the Standing Committee on Constitution and Constitutional Amendments.

BILLS ON SECOND READING.

Mr. Tunstall, Chairman of the Standing Committee on Constitution and Constitutional Amendments reported that said Committee in session, had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed Twenty-five million dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921, proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and

after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several boarder counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful pay-

ment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempted forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border

State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State, and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged, and such bonds shall be exempt forever from taxes of every kind. "Yes....." "No.....". The choice of the election shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above and foregoing bill, providing for an amendment to the Constitution, was read a second time, at length, and placed on the Calendar.

H. 5. A bill to be entitled an act to propose an amendment to the Constitution of Alabama so as to authorize and empower the Legislature from time to time by general or local laws to fix,

regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Walker County, including the method or basis of their compensation, and to order an election by the qualified electors of the State upon such proposed amendment to be held on the First Monday after the expiration of three months from and after the final adjournment of the present Special session of the Legislature.

Be it enacted by the Legislature of Alabama.

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the first Monday after the expiration of three months from and after the final adjournment of the present Extra session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Walker County, including the method and basis of their compensation.

Section 2. That it shall be the duty of the Governor to give notice by Proclamation to be published in one newspaper in each county of the State at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, Viz:

"Shall the following amendment to the Constitution of Alabama be adopted, authorizing the Legislature, by general or local laws, from time to time, to fix, regulate and alter the costs, charges, fees, commissions, allowances and salaries to be charged or received by any county officer of Walker County, including the method and basis of their compensation. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark by him opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed tabulated, and returns thereof made to the Secretary of the State and counted in the same manner as in elections for Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a Proclamation of the Governor.

The above and foregoing bill providing for a Constitutional amendment was read a second time, at length, and placed on the Calendar.

H. 6. To appropriate the sum of Fifty Thousand Dollars, or so much thereof as may be necessary, out of the general funds of the State Treasury for the purpose of defraying the expenses of the extraordinary Session of the Legislature of the State of Alabama.

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

The above and foregoing bills were severally read a second time and placed on the Calendar.

JOINT SESSION.

The hour of 12 o'clock noon having arrived, under a Senate Joint Resolution heretofore adopted, the Senate and House of Representatives met in Joint Session in the Hall of the House.

The President pro tem of the Senate directed the Secretary of the Senate to call the roll of the Senate and the following Senators answered to their names:

Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Brown	Ellis of Shelby	Loflin	Thompson
Caffey	Hall	Mitchell	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Stanley	Young

The President pro tem of the Senate announced a quorum of the Senate present.

The Speaker of the House directed the Clerk of the House to call the roll of the House and the following members answered to their names:

Messrs.:			
Mr. Speaker	Golson	Martin	Rogers (Mobile)
Adcock	Goode	Matthews	St. John
Allen	Goodwyn	Merrill	Sanders (Conecuh)
Anderson	Graves	Miller (Marengo)	Sanders (Pike)
Ashcraft	Grove	Miller (Sumter)	Sanderson
Baldwin	Gullatt	Molette	Shepherd
Bartlett	Guy	Monk	Simpson
Beebe	Hampton	Morrow	Shivers
Brunson	Harwood	Moxley	Smith
Bryant	Hawkins	Mullen	Starnes
Burleson	Hightower	Nipper	Stephens
Burns	Hollis	Norman	Stewart (Bibb)
Byars	Howard	Owens	Stewart (Calhoun)
Cannon	Howell	Parish	Thompson
Carter	Hubbard	Patterson	Tompkins
Christian	Hughes	Pegues	Tunstall
Cockrell	Johnson	Pitts	Vickers
Cook	Jones (Cleburne)	Poole	Waddell
Darden	Jordan (Etowah)	Powell	Wallace
Deloney	Jordan (Washington)	Quillin	Ward (Geneva)
Denson	Kirkpatrick	Rankin	Ward (Tuscaloosa)
Desear	Langdon	Reeder	Ware
Edmundson	Lee	Ringer	Webb
Edwards	Lovelace	Rivers	Weldon
Fite	Luck	Rogers (Elmore)	Winn
Frey	McAdory		

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The Speaker of the House announced a quorum of the House present.

His Excellency, Governor Wm. W. Brandon addressed the Joint Session.

His Excellency Governor-Elect Bibb Graves addressed the Joint Session.

Hon. W. C. Davis, Lieutenant Governor-elect addressed the Joint Session.

The purposes of the Joint Session having been accomplished the Senate retired to its Chambers.

The Speaker of the House then called the House to order.

ADJOURNMENT.

On motion of Mr. Hawkins the House adjourned until eleven o'clock A. M. tomorrow.

THIRD DAY.

House of Representatives.
Montgomery, Ala., Dec. 30, 1926.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Mr. Mullen of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Golson	McAdory	Rogers (Mobile)
Adcock	Goode	Martin	St. John
Allen	Goodwyn	Matthews	Sanders (Conecuh)
Anderson	Graves	Merrill	Sanders (Pike)
Ashcraft	Grove	Miller (Marengo)	Sanderson
Baldwin	Gullatt	Miller (Sumter)	Shepherd
Bartlett	Guy	Molette	Simpson
Beebe	Hampton	Monk	Shivers
Brunson	Harwood	Morrow	Smith
Bryant	Hawkins	Moxley	Starnes
Burleson	Hightower	Mullen	Stephens
Burns	Hollis	Nipper	Stewart (Bibb)
Byars	Howard	Norman	Stewart (Calhoun)
Cannon	Howell	Owens	Thompson
Carter	Hubbard	Parish	Tompkins
Christian	Hughes	Patterson	Tunstall
Cockrell	Jeter	Pegues	Vickers
Cook	Johnson	Pitts	Waddell
Darden	Jones (Cleburne)	Poole	Wallace
Deloney	Jordan (Etowah)	Powell	Ward (Geneva)
Denson	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Desear	Kirkpatrick	Rankin	Ware
Edmundson	Langdon	Reeder	Webb
Edwards	Lee	Ringer	Weldon
Fite	Lovelace	Rivers	Winn
Frey	Luck	Rogers (Elmore)	

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A quorum was present.

JOURNAL.

On motion of Mr. Waddell the reading of the Journal for the Second Legislative Day was dispensed with and the Journal of the House for the Second Legislative Day was approved by the House.

RESOLUTION.

The following resolution was introduced:

By Mr. Adcock:

H. R. No. 4: Resolved by the House of Representatives of Alabama, that the Clerk of the House on behalf of the House be directed to send a telegram to the Crimson Tide of the University of Alabama expressing the confidence of the House and wishing for them a glorious victory on Saturday the 1st. of January in their championship contest at Pasadena, California.

And on motion of Mr. Adcock the Rules were suspended and the Resolution was adopted.

APPOINTMENT OF READING CLERK.

The Speaker of the House announced the appointment of Cyrus B. Brown as Reading Clerk of the House. Said appointment to be effective as of December 28th, 1926.

INTRODUCTION OF BILLS.

The following bills were introduced severally read one time and referred to appropriate Standing Committees as follows:
By Mr. Goodwyn:

H. 8. To provide for the payment of expenses of the President of the Senate, the Speaker of the House of Representatives, and the members of the Senate and House of Representatives of the State of Alabama while in attendance at sessions of the Legislature of Alabama.

Constitution and Constitutional Amendments.

By Mr. Hightower:

H. 9. A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held on Tuesday the 12th day of April 1927 after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporation, York, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one half per centum of the value of such property, as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors in such municipal

corporation, at elections to be held by them from time to time for such purposes, and to provide for such elections.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration, and action at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature of Alabama, at which this amendment is proposed, to-wit:

The municipality of York, in the State of Alabama, shall have the power and right to levy and collect a tax of one half of one per centum in any one year on property situated therein, based on the valuation of such property as assessed for State taxation for the year ending on the 30th day of September next succeeding the levy provided, that for the purpose of paying bonds and indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment and the interest thereon, an additional tax of one half of one per centum may be levied and collected by said corporation; provided further, that a majority of the qualified electors of any of said municipal corporations voting at an election called for that purpose may vote a tax not to exceed one half of one per centum in any one year for any special purpose or purposes; which tax shall be used only for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by any of said municipal corporations shall not exceed one and one half (1½) per centum in any one year; Provided further, that the adoption of this amendment shall in no wise affect, limit, modify, abridge or impair the power, or authority or right of said municipal corporation, to levy and collect the special school taxes now or hereafter vested in or conferred upon it, under the Constitution or any amendment thereto. Each Election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporations for elections to authorize the issuance of municipal bonds.

The ballots used at said election shall contain the words: "For excess rate of taxation for the year (or years):" and "Against Excess rate of taxation for the year (or years)". The rate of taxation proposed in excess of the rate of one (1) per centum to be shown in the blank space provided therefor and the year or years in which

the proposed rate is to apply to be shown in the blank space provided therefor; and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise affect or change the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the Governing body of the municipality, but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same purpose shall be held in one year thereafter.

Section 2. Be it further enacted that it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each County in the State at least eight consecutive weeks next preceding the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, together with the proposed amendment.

Section 3. Be it further enacted, that at the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided for, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz: Shall the following be adopted as an amendment to the Constitution of Alabama: The municipality of York, in the State of Alabama shall have the right and power to levy and collect a tax of one half of one percentum in any one year on property situated therein, based on the valuation of such property as assessed for State taxation for the tax year ending September 30th next succeeding the levy; provided that for the purpose of paying bonds and other indebtedness issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment and the interest thereon, an additional tax of one half of one per centum may be levied and collected by said corporation, provided further, that a majority of the qualified electors of said municipal corporation voting at an election called for that purpose may vote a special tax not to exceed one half of one per centum in any one year for any special purpose or purposes; provided however, that the total tax to be levied by said municipal corporation shall not exceed one and one half (1½)

per centum in any one year. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporations for elections to authorize the issuance of municipal bonds. The Ballots used at such election shall contain the words: "For excess rate of taxation for the year (or years)" and "Against..... excess rate of taxation for the year (or years)....." The rate of taxation proposed in excess of the rate one per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply be shown in the blank space provided therefor and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different excess rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown, by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or effect the rights of any holder of bonds of said municipality heretofore issued.

Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to levy a special tax for a specific purpose and such proposition is defeated no second election for the same purpose shall be held in one year thereafter.

This amendment shall be self executing and no act of the Legislature shall be required to put the same, or any part thereof in force. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Be it further enacted: That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold the general elections in this State and the election shall be in all things in accordance with the law governing general elections and with the Constitutional provisions concerning amendments to that instrument.

Section 5. Be it further enacted: That the votes cast at said election shall be counted, canvassed and tabulated and the return made to the Secretary of State in the same manner as in elections for Representatives to the Legislature; and if it shall

thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of same such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

Section 6. Be it further enacted: That the expenses of the election held herein provided for and the cost of the publication of the notices shall be paid out of the State treasury in the same manner as the expenses of other general elections are paid.

The above and foregoing bill, providing for a Constitutional amendment was read one time, at length, and referred to the Standing Committee on Constitution and Constitutional Amendments.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Mr. Craft:

S. J. R. 10. Resolved by the Senate, the House concurring, that

Whereas William Simpson Keller has been called to the Great Beyond since the Legislature of Alabama has been in session,

Whereas he served the State of Alabama continuously as State Highway Engineer from the inception of the State Highway Department until his death in September, 1925, and

Whereas his service was exceptionally efficient and of great value to the people of Alabama,

We hereby testify to his great worth and deplore the loss the State has suffered by his death.

We commend the action of the Highway Department in naming the great bridge now being erected across the Tennessee River at Decatur as a memorial to him,

Be it further resolved that copies of this resolution be given to the papers of the State, to Mrs. Keller and to his sisters Miss Helen Keller and Mrs. Warren Tyson.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Goodwyn the Rules were suspended and the S. J. R. 10 was adopted.

BILLS ON THIRD READING.

H. 1. A Bill to be Entitled an Act To propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty five million dollars (\$25,000,000.00) in addition to the bonds authorized under the act approved October 29th, 1921 proposing an amendment to the constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama :

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (25,000,000.00) ; to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain high-

ways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county of the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901,

in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commissions in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

"Yes....." "No....." The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the

election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Was taken up. Mr. Luck offered the following amendment to the Bill H. 1.

"Amendment to House Bill No. 1 by adding thereto in line 45 in section 1 thereof after the word "Tax" the following: "in addition to the levy made February 10, 1923"; and by adding after the word "Tax" in line 42 of Section 3 the words "in addition to the levy made February 10, 1923."

And the amendment offered by Mr. Luck to the Bill H. 1 was adopted. Yeas, 92; Nays, 9.

Yeas:

Messrs.:

Mr. Speaker	Goode	Luck	Ringer
Adcock	Goodwyn	McAdory	Rivers
Allen	Graves	Martin	Rogers (Elmore)
Anderson	Gullatt	Matthews	Rogers (Mobile)
Ashcraft	Guy	Merrill	Sanders (Conecuh)
Bartlett	Hampton	Miller (Marengo)	Sanders (Pike)
Beebe	Harwood	Miller (Sumter)	Shepherd
Bryant	Hawkins	Molette	Shivers
Burleson	Hightower	Monk	Smith
Burns	Hollis	Morrow	Starnes
Byars	Howard	Moxley	Stephens
Cannon	Howell	Mullen	Stewart (Bibb)
Carter	Hubbard	Nipper	Stewart (Calhoun)
Christian	Hughes	Norman	Thompson
Cockrell	Jeter	Owens	Tunstall
Cook	Johnson	Parish	Vickers
Darden	Jones (Cleburne)	Patterson	Wallace
Deloney	Jordan (Etowah)	Pegues	Ward (Geneva)
Denson	Jordan (Washington)	Pitts	Ward (Tuscaloosa)
Desear	Kirkpatrick	Poole	Ware
Edmundson	Langdon	Powell	Webb
Edwards	Lee	Rankin	Weldon
Golson	Lovelace	Reeder	Winn

Nays:

Messrs.:

Baldwin

Brunson

Fite

Frey

Grove

Quillin

Simpson

Tompkins

Waddell

—9

Mr. Tunstall offered the following amendment to the Bill H. 1.

Amend House Bill 1 by striking out the words "not less than" in line 47 of Section 1 of the bill. Amend further, by striking out the words "not less than" in line 42 of Section 3 of the bill.

And the amendment offered by Mr. Tunstall to the Bill, H. 1 was adopted. Yeas, 92; Nays, 7.

Yeas:

Messrs.:

Mr. Speaker

Adcock

Allen

Anderson

Ashcraft

Baldwin

Bartlett

Brunson

Bryant

Burleson

Burns

Byars

Cannon

Carter

Christian

Cockrell

Cook

Darden

Deloney

Denson

Desear

Edmundson

Edwards

Golson

Goode

Goodwyn

Graves

Grove

Gullatt

Guy

Hampton

Harwood

Hawkins

Hightower

Hollis

Howard

Howell

Hubbard

Hughes

Jeter

Johnson

Jones (Cleburne)

Jordan (Etowah)

Jordan (Washington)

Kirkpatrick

Langdon

Lee

Lovelace

Luck

Martin

Matthews

Merrill

Miller (Marengo)

Miller (Sumter)

Molette

Monk

Morrow

Moxley

Mullen

Nipper

Norman

Owens

Parish

Patterson

Pegues

Poole

Powell

Reeder

Ringer

Rogers (Elmore)

Rogers (Mobile)

Sanders (Conecuh)

Sanders (Pike)

Shepherd

Shivers

Smith

Starnes

Stephens

Stewart (Bibb)

Stewart (Calhoun)

Thompson

Tompkins

Tunstall

Vickers

Waddell

Wallace

Ward (Geneva)

Ward (Tuscaloosa)

Ware

Webb

Weldon

Winn

—92

Nays:

Messrs.:

Beebe

Fite

Frey

McAdory

Quillin

Rankin

Simpson

—7

And said Bill,

H. 1. A Bill to be Entitled an Act To propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty five million dollars

(\$25,000,000.00) in addition to the bonds authorized under the act approved October 29th, 1921 proposing an amendment to the constitution of the State of Alabaam known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this proviison to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular

terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county of the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such

an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commissions in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

"Yes....." "No....." The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear

that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

As amended, was read a third time at length and passed. Yeas, 101; Nays, 30.

Yeas:

Messrs.:

Mr. Speaker	Golson	McAdory	Rogers (Elmore)
Adcock	Goode	Martin	Rogers (Mobile)
Allen	Goodwyn	Matthews	St. John
Anderson	Graves	Merrill	Sanders (Conecuh)
Ashcraft	Grove	Miller (Marengo)	Sanders (Pike)
Baldwin	Gullatt	Miller (Sumter)	Shepherd
Bartlett	Guy	Molette	Simpson
Beebe	Harwood	Monk	Shivers
Brunson	Hawkins	Morrow	Smith
Bryant	Hightower	Moxley	Starnes
Burleson	Hollis	Mullen	Stephens
Burns	Howard	Nipper	Stewart (Bibb)
Byars	Howell	Norman	Stewart (Calhoun)
Cannon	Hubbard	Owens	Thompson
Carter	Hughes	Parish	Tompkins
Christian	Jeter	Patterson	Tunstall
Cockrell	Johnson	Pegues	Vickers
Cook	Jones (Cleburne)	Pitts	Waddell
Darden	Jordan (Etowah)	Poole	Wallace
Deloney	Jordan (Washington)	Powell	Ward (Geneva)
Denson	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Desear	Langdon	Rankin	Ware
Edmundson	Lee	Reeder	Webb
Edwards	Lovelace	Ringer	Weldon
Fite	Luck	Rivers	Winn
Frey			

—101

Which was a three fifths vote of the whole number elected to the House.

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Was taken up. Mr. Merrill offered the following amendment to the Bill, H. 2:

Amendment H. 2 by substituting the following for Section 10.

Section 10. The proceeds of the excise tax levied by this Act shall, when collected, be covered into the State Treasury to the credit of the public road and bridge fund. All funds so raised shall be primarily charged with the payment of the interest on such additional highway and bridge bonds. When the same shall have been authorized and sold a sinking fund shall be created sufficient to retire such bonds within a period of 31 years. Any residue of such fund, after provision shall have been made for the primary obligation herein set out may be used by the State Highway Commission with the approval of the Governor for the maintenance and construction of the public roads and bridges of this State and for no other purpose.

And on motion of Mr. Tunstall the amendment offered by Mr. Merrill to the Bill, H. 2 was laid upon the table. Yeas, 69; Nays, 33.

Yeas:

Messrs.:

Mr. Speaker	Edmundson	Matthews	Simpson
Adcock	Fite	Molette	Shivers
Allen	Frey	Monk	Smith
Anderson	Goode	Nipper	Starnes
Ashcraft	Gullatt	Parish	Stephens
Baldwin	Hampton	Pegues	Stewart (Bibb)
Bartlett	Hawkins	Poole	Stewart (Calhoun)
Beebe	Hollis	Powell	Thompson
Bryant	Howard	Quillin	Tompkins
Burns	Howell	Rankin	Tunstall
Byars	Hubbard	Reeder	Wallace
Carter	Hughes	Ringer	Ward (Geneva)
Christian	Jeter	Rivers	Ward (Tuscaloosa)
Cockrell	Johnson	Rogers (Elmore)	Ware
Darden	Jordan (Etowah)	Sanders (Conecuh)	Webb
Deloney	Lee	Sanders (Pike)	Weldon
Denson	McAdory	Shepherd	Winn
Desear			

—69

Nays:

Messrs.:

Brunson	Guy	Luck	Norman
Burleson	Harwood	Martin	Owens
Cannon	Hightower	Merrill	Patterson
Cook	Jones (Cleburne)	Miller (Marengo)	Pitts
Edwards	Jordan (Washington)	Miller (Sumter)	Rogers (Mobile)
Golson	Kirkpatrick	Morrow	St. John
Goodwyn	Langdon	Moxley	Vickers
Graves	Lovelace	Mullen	Waddell
Grove			

—33

And said Bill.

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons,

corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Was read a third time at length and passed; yeas, 91, Nays, 7.

Yeas:

Messrs.:

Mr. Speaker	Goode	Matthews	Sanders (Concuh)
Adcock	Graves	Merrill	Sanders (Pike)
Allen	Guy	Miller (Marengo)	Shepherd
Anderson	Hampton	Miller (Sumter)	Simpson
Ashcraft	Harwood	Molette	Shivers
Baldwin	Hawkins	Monk	Smith
Bartlett	Hightower	Morrow	Starnes
Beebe	Howard	Moxley	Stephens
Brunson	Howell	Mullen	Stewart (Bibb)
Bryant	Hubbard	Nipper	Stewart (Calhoun)
Byars	Hughes	Parish	Thompson
Cannon	Jeter	Patterson	Tompkins
Carter	Johnson	Pegues	Tunstall
Christian	Jones (Cleburne)	Pitts	Vickers
Cockrell	Jordan (Etowah)	Poole	Waddell
Darden	Jordan (Washington)	Powell	Wallace
Deloney	Kirkpatrick	Quillin	Ward (Geneva)
Denson	Langdon	Rankin	Ward (Tuscaloosa)
Desear	Lee	Reeder	Ware
Edmundson	Lovelace	Ringer	Webb
Edwards	Luck	Rivers	Weldon
Fite	McAdory	Rogers (Elmore)	Winn
Frey	Martin	Rogers (Mobile)	

—91

Nays:

Messrs.:

Burleson	Cook	Grove	Owens
Burns	Goodwyn	Norman	

—7

And on motion of Mr. Tunstall the Bill H. 2 was ordered sent forthwith to the Senate without Engrossment.

H. 6. To appropriate the sum of fifty thousand dollars, or so much thereof as may be necessary, out of the general funds of the State Treasury for the purpose of defraying the expenses of the extraordinary session of the Legislature of the State of Alabama.

Was read a third time at length and passed; yeas, 99; nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Frey	Martin	Rogers (Mobile)
Adcock	Golson	Matthews	St. John
Allen	Goode	Merrill	Sanders (Conecuh)
Anderson	Goodwyn	Miller (Marengo)	Sanders (Pike)
Ashcraft	Graves	Miller (Sumter)	Shepherd
Baldwin	Grove	Molette	Simpson
Bartlett	Gullatt	Monk	Shivers
Beebe	Guy	Morrow	Smith
Brunson	Harwood	Moxley	Starnes
Bryant	Hawkins	Mullen	Stephens
Burleson	Hightower	Nipper	Stewart (Bibb)
Burns	Howard	Norman	Stewart (Calhoun)
Byars	Hubbard	Owens	Thompson
Cannon	Hughes	Parish	Tompkins
Carter	Jeter	Patterson	Tunstall
Christian	Johnson	Pegues	Vickers
Cockrell	Jones (Cleburne)	Pitts	Waddell
Cook	Jordan (Etowah)	Poole	Wallace
Darden	Jordan (Washington)	Powell	Ward (Geneva)
Deloney	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Denson	Langdon	Rankin	Ware
Desear	Lee	Reeder	Webb
Edmundson	Lovelace	Ringer	Weldon
Edwards	Luck	Rivers	Winn
Fite	McAdory	Rogers (Elmore)	

—99

And on motion of Mr. Waddell the Bill H. 6 was ordered sent forthwith to the Senate without engrossment.

ADJOURNMENT.

On motion of Mr. Hawkins the House adjourned until 9 o'clock, A. M. tomorrow.

FOURTH DAY.

House of Representatives,
Montgomery, Ala., Friday, Dec. 31, 1926.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Mr. Hollis of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Golson	McAdory	Rogers (Mobile)
Adcock	Goode	Martin	St. John
Allen	Goodwyn	Matthews	Sanders (Conecuh)
Anderson	Graves	Merrill	Sanders (Pike)
Ashcraft	Grove	Miller (Marengo)	Sanderson
Baldwin	Gullatt	Miller (Sumter)	Shepherd
Bartlett	Guy	Molette	Simpson
Beebe	Hampton	Monk	Shivers
Brunson	Harwood	Morrow	Smith
Bryant	Hawkins	Moxley	Starnes
Burleson	Hightower	Mullen	Stephens
Burns	Hollis	Nipper	Stewart (Bibb)
Byars	Howard	Norman	Stewart (Calhoun)
Cannon	Howell	Owens	Thompson
Carter	Hubbard	Parish	Tompkins
Christian	Hughes	Patterson	Tunstall
Cockrell	Jeter	Pegues	Vickers
Cook	Johnson	Pitts	Waddell
Darden	Jones (Cleburne)	Poole	Wallace
Deloney	Jordan (Etowah)	Powell	Ward (Geneva)
Denson	Jordan (Washington)	Quillin	Ward (Tuscaloosa)
Desear	Kirkpatrick	Rankin	Ware
Edmundson	Langdon	Reeder	Webb
Edwards	Lee	Ringer	Weldon
Fite	Lovelace	Rivers	Winn
Frey	Luck	Rogers (Elmore)	

—103

A quorum was present.

JOURNAL.

On motion of Mr. Tunstall, the reading of the Journal for the Third Legislative Day was dispensed with and the Journal of the House for the Third Legislative Day was approved by the House.

H. 1. A bill to be entitled An Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty-five million dollars. (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921, proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Was, on motion of Mr. Tunstall sent forthwith to the Senate without Engrossment.

BILL ON THIRD READING

H. 5. A Bill to be Entitled an Act to propose an amendment to the constitution of Alabama so as to authorize and empower the legislature from time to time by general or local laws to fix, regulate and alter the costs, charges of Courts, fees, commissions, allowances or salaries to be charged or received by any County officer of Walker County, including the method or basis of their compensation, and to order an election by the qualified electors of the State upon such proposed amendment to be held on the April 12, 1927 after the expiration of three months from and after the final adjournment of the present special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is April 12th, 1927 after the expiration of three months from and after the final adjournment of the present extra session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

The legislature of Alabama may hereafter, from time to time by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any County officer of Walker County, including the method and basis of their compensation.

Section 2. That it shall be the duty of the Governor to give notice by proclamation to be published in one newspaper in each county of the State at least eight successive weeks next preceeding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: Shall the following amendment to the Constitution of Alabama be adopted, authorizing the legislature, by general or local laws, from time to time, to fix, regulate and alter the costs, charges, fees, commissions, allowances and salaries to be charged or received by any County officer of Walker County, including the method and basis of their compensation. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No" .The choice of the elector

shall be indicated by a cross mark by him opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act; the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed tabulated, and returns thereof made to the Secretary of the State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Was read a third time at length and passed.

Yeas, 81; Nays, 1.

Yeas:

Messrs.:

Adcock	Fite	Langdon	Rogers (Mobile)
Allen	Frey	Lee	Sanders (Conecuh)
Anderson	Golson	Lovelace	Sanders (Pike)
Ashcraft	Goode	McAdory	Sanderson
Baldwin	Goodwyn	Martin	Shepherd
Bartlett	Grove	Matthews	Shivers
Beebe	Gullatt	Miller (Sumter)	Starnes
Brunson	Guy	Molette	Stephens
Bryant	Hampton	Monk	Stewart (Calhoun)
Burleson	Harwood	Moxley	Thompson
Burns	Hightower	Nipper	Tompkins
Byars	Hollis	Owens	Tunstall
Carter	Howard	Parish	Vickers
Christian	Howell	Pattenson	Waddell
Cockrell	Hubbard	Pitts	Wallace
Cook	Hughes	Powell	Ward (Geneva)
Darden	Johnson	Quillin	Ward (Tuscaloosa)
Deloney	Jones (Cleburne)	Ringer	Ware
Denson	Jordan (Washington)	Rivers	Webb
Edmundson	Kirkpatrick	Rogers (Elmore)	Weldon
Edwards			

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Nays:—Mr. Cannon.—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

By Mr. Jack:

S. J. R. 11. Resolved by the Senate, the House concurring, That a Committee of two from the Senate and 3 from the House, be appointed as a Joint Committee to ascertain the wishes of both Houses as to when a recess shall be taken and report to both Houses by resolution or otherwise.

And the President Pro-tempore and Presiding Officer of the Senate appointed as a Committee on the part of the Senate Messrs Jack and Cowan.

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Joint Resolution set out in the above and foregoing message from the Senate was read one time and referred to the Standing Committee on Constitution and Constitutional Amendments.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Mr. Jack:

S. J. R. 12. "Resolved by the Senate, the House concurring, that when the two Houses adjourn to-day they adjourn to meet on Monday, January 3rd., 1927, at 2:30 P. M."

And sends same herewith to the House.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall the House concurred in and adopted the Senate Joint Resolution which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill and sends same herewith to the House:

By Mr. Craft:

S. 1. A Bill to be Entitled an Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads,

highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty-five million dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921 proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XX, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued under such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to

the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not

greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes_____"
"No_____". The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of

State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

J. E. Speight,
Secretary.

SENATE MESSAGE.

The Senate Bill providing for a Constitutional amendment and which is set out in the above and foregoing message from the Senate was read one time, at length, and referred to an appropriate Standing Committee as follows:

Constitution and Constitutional Amendments, S. 1.

LEAVE OF ABSENCE.

Was granted to Messrs. Edwards, Moxley, Mullen, Darden, Stewart of Bibb, Jordan of Washington, and Miller of Marengo, for Monday, January 3, 1927.

ADJOURNMENT.

On motion of Mr. Hawkins, the House adjourned until 2:30 o'clock Monday, January 3rd, 1927.

FIFTH DAY

House of Representatives,
Monday, Jan. 3rd, 1927.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Mr. Thompson of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs.:			
Mr. Speaker	Golson	Lovelace	Rogers (Elmore)
Adcock	Goode	Luck	Rogers (Mobile)
Allen	Goodwyn	McAdory	St. John
Anderson	Graves	Martin	Sanders (Conecuh)
Ashcraft	Grove	Matthews	Sanders (Pike)
Baldwin	Gullatt	Merrill	Sanderson
Bartlett	Guy	Miller (Sumter)	Shepherd
Beebe	Hampton	Molette	Simpson
Brunson	Harwood	Monk	Shivers
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Nipper	Starnes
Burns	Hollis	Norman	Stephens
Byars	Howard	Owens	Stewart (Calhoun)
Cannon	Howell	Parish	Thompson
Carter	Hubbard	Patterson	Tompkins
Christian	Hughes	Pegues	Tunstall
Cockrell	Jeter	Pitts	Vickers
Cook	Johnson	Poole	Wallace
Deloney	Jones (Bullock)	Powell	Ward (Geneva)
Denson	Jones (Cleburne)	Quillin	Ware
Desear	Kirkpatrick	Rankin	Webb
Edmundson	Langdon	Ringer	Weldon
Fite	Lee	Rivers	Winn
Frey			

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A quorum was present.

JOURNAL.

On motion of Mr. Tunstall the reading of the Journal of the House for the Fourth Legislative Day was dispensed with and the Journal for the Fourth Legislative Day was approved by the House.

BILL ON SECOND READING.

Mr. Tunstall, chairman of the Standing Committee on Constitution and Constitutional Amendments reported that said Committee, in session, had acted on the following bill and ordered same returned to the House, with a favorable report.

By Mr. Craft:

S. 1. A Bill to be Entitled an Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty-five million dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921 proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt

and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued under such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway De-

partment to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XX-A of the Constitution of Alabama?"

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commis-

sion or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes—————" "No—————". The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result

of such election shall be made known by a proclamation of the Governor.

The above and foregoing Bill, S. 1, proposing an amendment to the Constitution was read a second time at length and placed on the calendar.

Mr. J. P. Hanks, who was elected Enrolling Clerk of the House appeared and the oath of office was administered to him by the Speaker of the House.

A RESOLUTION.

The following Resolution was introduced:

By Mr. Lovelace:

H. J. R. 5. Whereas, in the death of Judge James J. Mayfield, which occurred on January 1, 1927, the State of Alabama has lost one of its most distinguished citizens, one who in public and private life exemplified many noble and enduring traits of character and whose official life as an Associate Justice of the Supreme Court, and as the Commission who prepared the Codes of Alabama of 1907 and 1923 revealed a great legal mind and a fearless and upright judge and lawyer, and who in other capacities and relationships impressed his fellow-citizens with his high intellectual attainments, his devotion to his state and its people, and his rugged but gentle and loving character:

Now Therefore, Be it resolved by the House, the Senate concurring, that the Legislature of Alabama has heard with profound regret of the passing of this great man; that its heartfelt sympathy is hereby extended to his grief-stricken family; and that a copy of this resolution be delivered by the Clerk of the House to his widow.

And on motion of Mr. Lovelace the rules were suspended and the H. J. R. 5 was adopted by the unanimous rising vote of the House.

On motion of Mr. Shepherd the Bill

H. 5. A Bill to be Entitled an Act To propose an amendment to the Constitution of Alabama so as to authorize and empower the Legislature from time to time, by general or local laws to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Walker County, including the method or basis of their compensation, and to order an election by the qualified electors of the State upon such proposed amendment to be held on April 12, 1927, after the expiration of three months from and after the final adjournment of the present special session of the Legislature.

Was ordered sent to the Senate without Engrossment.

LEAVE OF ABSENCE.

Was granted to Messrs. Ward of Tuscaloosa, Reeder, Jordan of Etowah and Waddell for today and tomorrow.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 10. Relative to the death of Hon. William Simpson Keller, former State Highway Engineer.

J. E. Speight,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION.

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed S. J. R. 10 Set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House Bill, and returns same herewith to the House:

H. 6. To appropriate the sum of fifty thousand dollars, or so much thereof as may be necessary, out of the general funds of the State treasury for the purpose of defraying the expenses of the extraordinary session of the Legislature of the State of Alabama.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution, and returns same herewith to the House:

H. J. R. 5. Relative to the death of Judge James J. Mayfield, and extending sympathy to his grief-stricken family.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

J. E. Speight,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall the House concurred in and adopted the Senate amendment to the Bill:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Said Senate amendment being as follows:

Amend House Bill No. 2 by striking out Section 18 of said bill and insert in lieu thereof the following:

Section 18: This Act shall go into effect immediately upon its passage.

Amend House Bill No. 2, That Sec. 10 of H. B. No. 2, be amended by adding to said Section the words:

"Provided, however, that the residue of such fund shall not be expended contrary to law as it now exists or may hereafter be enacted."

Yeas, 81; Nays, 1.

*Yeas:**Messrs.:*

Mr. Speaker	Golson	Lovelace	Rivers
Adcock	Goode	Luck	Rogers (Elmore)
Allen	Goodwyn	McAdory	Rogers (Mobile)
Anderson	Grove	Martin	St. John
Ashcraft	Gullatt	Matthews	Sanders (Concuh)
Baldwin	Hampton	Merrill	Sanders (Pike)
Bartlett	Harwood	Miller (Marengo)	Sanderson
Beebe	Hawkins	Molette	Shepherd
Bryant	Hightower	Monk	Simpson
Burleson	Hollis	Mullen	Smith
Burns	Howard	Nipper	Stephens
Byars	Howell	Norman	Stewart (Calhoun)
Cannon	Hubbard	Owens	Stewart (Bibb)
Carter	Hughes	Parish	Thompson
Christian	Jeter	Patterson	Tompkins
Cockrell	Johnson	Pegues	Tunstall
Deloney	Jones (Bullock)	Pitts	Vickers
Denson	Jones (Cleburne)	Poole	Wallace
Desear	Kirkpatrick	Quillin	Ware
Edmundson	Langdon	Ringer	Weldon
Frey			

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Nays:—Mr. Guy.—1

ADJOURNMENT.

On motion of Mr. Goodwyn the House adjourned out of respect to the memory of Judge James J. Mayfield until 9 o'clock A. M. tomorrow.

SIXTH DAY

House of Representatives,
Montgomery, Ala., Tuesday Jany. 4th, 1927.

The House met pursuant to adjournment.

PRAYER.

The session was opened with prayer by Rev. Mr. Mullen of the House.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:

Mr. Speaker	Golson	Luck	Rogers (Mobile)
Adcock	Goode	McAdory	St. John
Allen	Goodwyn	Martin	Sanders (Conecuh)
Anderson	Grove	Matthews	Sanders (Pike)
Ashcraft	Gullatt	Merrill	Sanderson
Baldwin	Guy	Miller (Marengo)	Shepherd
Bartlett	Hampton	Miller (Sumter)	Simpson
Beebe	Harwood	Molette	Shivers
Brunson	Hawkins	Monk	Smith
Bryant	Hightower	Morrow	Starnes
Burleson	Hollis	Mullen	Stephens
Burns	Howard	Nipper	Stewart (Bibb)
Byars	Howell	Norman	Stewart (Calhoun)
Cannon	Hubbard	Owens	Thompson
Carter	Hughes	Parish	Tompkins
Christian	Jeter	Patterson	Tunstall
Cockrell	Johnson	Pegues	Vickers
Darden	Jones (Bullock)	Pitts	Waddell
Deloney	Jones (Cleburne)	Poole	Wallace
Denson	Jordan (Etowah)	Powell	Ward (Geneva)
Desear	Jordan (Washington)	Quillin	Ware
Edmundson	Kirkpatrick	Rankin	Webb
Edwards	Langdon	Ringer	Weldon
Fite	Lee	Rivers	Winn
Frey	Lovelace	Rogers (Elmore)	

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A quorum was present.

JOURNAL.

On motion of Mr. Allen the reading of the Journal of the House for the Fifth Legislative day was dispensed with and the Journal of the House for the Fifth Legislative Day was approved by the House.

PRIVILEGES OF THE FLOOR

Were granted to Judge Stapleton of Baldwin and Sheriff Kilgore of Walker.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the Standing Committee on Enrolled Bills for the House, as follows: Messrs. Harwood, Chairman, Johnson, Tunstall, Jeter and Poole.

BILL ON THIRD READING

S. 1. A Bill to be entitled An Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to author-

ize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty-five million dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921 proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Was taken up.

Mr. Tunstall offered the following amendment to the Bill, S. 1.

Amend Senate Bill No. 1 by adding thereto in line thirty Section 1 on page 2 after the word "tax" the following: "in addition to the levy made February 10, 1923", and by adding after the word "tax" in line 5 page 4 of Section 3 the words: "in addition to the levy made February 10, 1923".

Also amend Senate Bill No. 1 by striking therefrom the words "not less than" where they occur in line 31 on page 2 of Section 1 and by striking therefrom the words "not less than" where they occur in line 5 page 4 of Section 3 of said Senate Bill No. 1.

Also amend Senate Bill No. 1 by striking therefrom the words "provided that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds," where the same occur in Section 1 of said bill. Also by striking out the words above quoted where they occur in Section 3 of said Senate Bill No. 1.

And the amendment offered by Mr. Tunstall to the Bill, S. 1, was adopted.

Yeas, 89; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker
Adcock
Allen
Anderson
Ashcraft
Baldwin
Bartlett
Beebe
Bryant

Burleson
Burns
Byars
Cannon
Carter
Christian
Cockrell
Deloney
Denson

Desear
Edmundson
Edwards
Frey
Golson
Goodwyn
Grove
Gullatt
Hampton

Harwood
Hawkins
Hightower
Hollis
Howard
Hubbard
Hughes
Johnson
Jones (Bullock)

Jones (Cleburne)	Molette	Rankin	Stephens
Jordan (Etowah)	Monk	Ringer	Stewart (Bibb)
Jordan (Washington)	Mullen	Rivers	Stewart (Calhoun)
Kirkpatrick	Nipper	Rogers (Elmore)	Thompson
Langdon	Norman	Rogers (Mobile)	Tompkins
Lee	Owens	St. John	Tunstall
Lovelace	Parish	Sanders (Conecuh)	Vickers
Luck	Patterson	Sanders (Pike)	Waddell
McAdory	Pegues	Sanderson	Wallace
Martin	Pitts	Shepherd	Ware
Matthews	Poole	Simpson	Webb
Merrill	Powell	Smith	Weldon
Miller (Marengo)	Quillin	Starnes	Winn
Miller (Sumter)			

—89

And said Bill.

S. 1. A Bill to be Entitled an Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty-five million dollars (\$25,000,000.00) in addition to the bonds authorized under the Act approved October 29th, 1921 proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901,

in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued under such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed

amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XX-A of the Constitution of Alabama?"

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty-five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. Provided, that no bonds shall be issued or sold under this provision to such an amount that the interest thereon will exceed the net amount of the excise tax on the sale of gasoline collected during the current fiscal year, and which is set apart for payment of interest on said bonds. The State Highway Commission or Highway Department shall locate, construct and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one-quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax of not less than two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of

the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes———" "No———". The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

As amended by the amendment of Mr. Tunstall, was read a third time at length and passed.

Yeas, 90; Nays, 0.

Yeas:

Messrs.:

Mr. Speaker	Goodwyn	Matthews	St. John
Adcock	Grove	Merrill	Sanders (Conecuh)
Allen	Gullatt	Miller (Marengo)	Sanders (Pike)
Anderson	Harwood	Miller (Sumter)	Sanderson
Ashcraft	Hawkins	Molette	Shepherd
Baldwin	Hightower	Monk	Simpson
Bartlett	Hollis	Mullen	Shivers
Beebe	Howard	Nipper	Smith
Bryant	Hubbard	Norman	Starnes
Burleson	Hughes	Owens	Stephens
Burns	Jeter	Parish	Stewart (Bibb)
Byars	Johnson	Patterson	Stewart (Calhoun)
Cannon	Jones (Bullock)	Pegues	Thompson
Carter	Jones (Cleburne)	Pitts	Tompkins
Christian	Jordan (Etowah)	Poole	Tunstall
Cockrell	Jordan (Washington)	Powell	Vickers
Deloney	Kirkpatrick	Quillin	Waddell
Denson	Langdon	Rankin	Wallace
Desear	Lee	Ringer	Ware
Edmundson	Lovelace	Rivers	Webb
Frey	Luck	Rogers (Elmore)	Weldon
Golson	McAdory	Rogers (Mobile)	Winn
Goode	Martin		

Which was a three-fifths majority of the whole number elected to the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your standing committee on enrolled bills begs leave to report that said committee, in session, has compared the following bills with the engrossed and original bills respectively and find same correctly enrolled to wit:

H. 6. To appropriate the sum of fifty thousand dollars, or so much thereof as may be necessary, out of the general funds of the State Treasury for the purpose of defraying the expenses of the extraordinary session of the Legislature of the State of Alabama.

Also:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Also:

H. J. R. 5. Relative to the death of Judge James J. Mayfield.

Robt. B. Harwood,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Hawkins:

H. J. R. 6. Resolved by the House, the Senate concurring, that a joint Committee of three from the House, to be appointed by the Speaker of the House, and two from the Senate, to be ap-

pointed by the Presiding Officer of the Senate, be appointed to await upon the Governor and ascertain if he has any further business for the two Houses before final adjournment is taken.

And the Rules were suspended and the resolutions adopted.

And the Speaker named as a Committee on the part of the House Messrs. Hawkins, Tunstall and Burns.

By Mr. Darden:

H. R. 7. Whereas, The Birmingham Age-Herald and the Mobile Register have during the Special Session of the Legislature kindly furnished each member of the House with daily issues of their respective paper which have contributed to the convenience and information of each member.

Therefore, Be it Resolved by the House:

1st. That the House express its appreciation for the courtesy extended the members of the House by the Birmingham Age-Herald and Mobile Register.

And on motion of Mr. Darden the Rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution:

By Rules Committee:

S. J. R. 17. Be it resolved by the Senate, the House concurring, that the Secretary of the Senate, the Assistant Secretary of the Senate,, the Chief Clerk to the Secretary of the Senate and the Reading Clerk of the Senate, together with five Clerks to be named by the Secretary of the Senate; and

The Clerk of the House, the Assistant Clerk of the House and the Reading Clerk of the House, together with five Clerks to be named by the Clerk of the House, be given a period of six days after the final adjournment of this special session of the Legislature of Alabama, or so much thereof as may be necessary, to check up, compare and arrange the Journal and Register of the Senate and House, and that they be allowed the same per diem as they are now allowed by law.

And sends same herewith to the House without engrossment.

J. E. Speight,,
Secretary.

SENATE MESSAGE.

And on motion of Mr. Tunstall the Rules were suspended and the S. J. R. 17 was concurred in and adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House Amendment to the following Senate Bill:

S. 1. A Bill to be Entitled An Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty five million dollars (\$25,000,000.00) in addition to the bonds authorized under the act approved October 29th, 1921, proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature. Be It enacted by the Legislature of Alabama: Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued under such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. The State Highway Commission or Highway Department shall locate, construct, and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent

road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax in addition to the levy made February 10, 1923, of two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State, and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XX-A of the Constitution of Alabama?"

Article XX-A. Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations,

numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. The State Highway Commission or Highway Department shall locate, construct, and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax, in addition to the levy made February 10, 1923, of two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes———" "No———". The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for Representatives to the Legislature; and if it shall thereupon appear

that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted:

H. J. R. 6. Relative to appointment of a Committee to wait upon the Governor and ascertain if he has any further business for the two Houses before final adjournment is taken.

And the President and Presiding Officer of the Senate appointed as a Committee on part of the Senate Messrs. Hines and Jackson.

And returns same herewith to the House.

J. E. Speight,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. A Bill to be Entitled An Act to propose an amendment to the Constitution of Alabama authorizing the State to locate, construct, improve, repair and maintain public roads, highways and bridges in the State of Alabama; and to that end to authorize the State to issue and sell negotiable interest-bearing bonds in an amount not to exceed twenty five million dollars (\$25,000,000.00) in addition to the bonds authorized under the act approved October 29th, 1921, proposing an amendment to the Constitution of the State of Alabama known and designated as Article XX; and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and for the retirement of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on Tuesday the 12th day of April, 1927, which day is after the expiration of three months from and after the final adjournment of this special session of the Legislature. Be It enacted by the Legislature of Alabama: Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and an election is here-

by ordered by the qualified electors of the State of Alabama upon the proposed amendment and the day hereby appointed for such election is Tuesday, the 12th day of April, 1927, which day is more than three months after the final adjournment of this special session of the Legislature at which this amendment is proposed. The proposed amendment is as follows:

Article XX-A, Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued under such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six percent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. The State Highway Commission or Highway Department shall locate, construct, and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public highways, roads and bridges, the Legislature shall levy an excise tax in addition to the levy made February 10, 1923, of two cents per gallon upon gasoline or, any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State, and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the

State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind.

Section 2. Notice of the election hereby ordered together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XX-A, of the Constitution of Alabama?"

Article XX-A. Section 1. The State is authorized to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama. To this end and for this purpose the State is authorized to appropriate funds, and also to issue and sell interest-bearing negotiable State bonds in addition to those already authorized and sold under Article XX, as an amendment to the Constitution of 1901, in an amount not to exceed the sum of twenty five million dollars (\$25,000,000.00); to be issued in such denominations, numbers and series, and maturing at such times as may be provided by law; all such bonds shall bear a rate of interest not greater than six per cent per annum, payable semi-annually, and shall be sold at a price not less than the par value thereof. The State Highway Commission or Highway Department shall locate, construct, and maintain highways and State trunk roads so as to connect each county seat with the county seat of the adjoining county by the most direct or feasible route or by a permanent road, having due regard to the public welfare; and to connect the county seats of the several border counties at or near the State line with a public road in the border State. Provided, that in counties which are divided into two or more judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall likewise be connected with each other. It shall be the duty of the Highway Commission or Highway Department to equitably apportion among the several counties of the State the expenditure of both money and labor and the time or times of making such investment. Not less than one quarter of a million dollars of the proceeds of these bonds shall be set aside and expended by the State Highway Commission in each county in the State. To create a sinking fund for the prompt and faithful payment of the principal and the interest on these bonds and for the construction, maintenance and improvement of such public

highways, roads and bridges, the Legislature shall levy an excise tax, in addition to the levy made February 10, 1923, of two cents per gallon upon gasoline or any substitute therefor, or an adequate license or excise tax on any other motive power used to propel auto vehicles. Such bonds when issued shall be a direct obligation of the State and for the prompt and faithful payment of the principal and the interest thereon the full faith and credit of the State is hereby irrevocably pledged and such bonds shall be exempt forever from taxes of every kind. "Yes———" "No———". The choice of the elector shall be indicated by a cross mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner, as in elections for Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

J. E. Speight,
Secretary.

SIGNING OF SENATE BILL.

The Speaker of the House, in the presence of the House, immediately after the Bill, S. 1, had been publicly read at length by the Clerk, signed the Bill, S. 1, which is set out at length in the above and foregoing Message from Senate.

CERTIFICATE OF CLERK.

To the House of Representatives:

I hereby certify that the bills hereinafter mentioned were delivered to the executive department on the dates and hours named, and that I hold the receipts of the executive department for same.

Delivered to the Governor January 4, 1927, at 10.07 A. M.

H. 6. To appropriate the sum of fifty thousand dollars, or so much thereof as may be necessary, out of the general funds of the State Treasury for the purpose of defraying the expenses of the extraordinary session of the Legislature of the State of Alabama.

Also:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10th, 1923, on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Also:

H. J. R. 5. Relative to the death of Judge James J. Mayfield.

J. H. Stewart,
Clerk.

WITHDRAWAL OF BILL.

Unanimous consent was granted by the House to Mr. Hightower to withdraw H. 9.

MESSAGE FROM THE GOVERNOR.

House of Representatives:

The Governor directs me to hand you herewith his message.

Respectfully,

A. L. TYSON,

Secretary to the Governor.

Jan. 4, 1927

To the Legislature of Alabama:

Gentlemen:

The Governor has received each of the Joint Resolutions and each of the bills passed by the Senate and House of Representatives and has approved each of the same and delivered them to the Secretary of State.

The Governor's office has no further communication but desires to express his gratitude to both the House and Senate for the harmony that has prevailed and for the speedy action on all matters contained in his call. Our earnest prayer is that on your return home you will find your families well and happy and that when you return here at the regular session the harmony displayed at the special session will continue and the State will go forward in every way.

Sincerely yours,
Wm. W. BRANDON,
Governor.

January 4, 1927.

REPORT OF JOINT COMMITTEE.

Mr. Hawkins for the Joint Committee of the two Houses, appointed under H. J. R. No. 6, reported that said Committee had waited upon the Governor and that the Governor had no further business or communications for the Legislature.

JOURNAL.

On motion of Mr. Tunstall the reading of the Journal of the House for the Sixth Legislative Day was dispensed with and the Journal of the House for the Sixth Legislative Day was approved.

ADJOURNMENT SINE DIE.

The Speaker of the House declared there was no other business for the House and on motion of Mr. Tunstall the House adjourned *Sine Die*.

J. LEE LONG,
Speaker of the House of Representatives of the Special Session of the Legislature of the State of Alabama of 1926-7.

J. H. STEWART,
Clerk of the House of Representatives of the Special Session of the Legislature of Alabama, 1926-7.

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